

**PETERS CREEK SANITARY AUTHORITY
Regular Meeting February 26, 2024**

15

The meeting was opened by Chairman Christopher Labee at 6:00 p.m.

MEMBERS PRESENT: Paul Chenevert, Robert Tucker, Chrissie Cole, Emily Telego, Henry Glaneman, Tom Lumsden, John Seiler, and Christopher Labee.

MEMBERS ABSENT: James Barner.

OTHERS IN ATTENDANCE: Tanya Gosliak, Rick Kovach, Phil Binotto, Jason Stanton, Eric Fritz, and Dale Withers (Constable).

The Pledge of Allegiance was recited.

PUBLIC COMMENT:

Mrs. Gosliak reported that Justin Cox had called the PCSA office on Friday, February 23, 2024 after the Board Meeting Agenda had been finalized and posted for the public. Mrs. Gosliak explained that Justin Cox had requested to address the Board at this meeting. Therefore, because of the Sunshine Act, the Board will be required to amend the February 26, 2024 Agenda to add Justin Cox's request to address the Board regarding 6129 State Route 88.

Mr. Labee introduced himself as the Chairman of the Board and at this time he asked the Board to make a motion to amend the agenda to recognize Justin Cox and Alvin Cox for Public Comment.

A motion was made by Paul Chenevert, second by Rob Tucker, to amend the February 26, 2024 Board Meeting Agenda to allow Justin Cox to address the Board with his issue. Motion carried unanimously.

6129 State Route 88 Rear, Finleyville, PA

In attendance via Zoom because Mr. Justin Cox is located in Harrisburg, PA and Alvin Cox is located in California and he is Seneca Leandro View LLC, property owner, and his son is Justin Cox.

*Note: for purposes of these minutes, Mr. Cox will refer to Justin Cox.

Mr. Cox addressed the Board and apologized for submitting some documentation at the last minute so that the Board was not provided this information at the meeting. Mr. Cox explained the LLC that his father owns, Seneca Leandro View LLC, owns the property located at 6129 State Route 88 Rear. There are basically 3 parcels from State Route 88 to the rear reaching Peters Creek area. The main sewer line is serviced near the rear area which is the creek. These 3 parcels were all owned in the beginning by the Carter Family back in the 1970s. Mr. Cox explained the issues with this property and stated that it was purchased at a tax sale some years ago.

Mr. Kovach informed Mr. Cox that a dye test and no lien letter was never requested or issued for this property and that would have brought the issues in the beginning to his attention. Mr. Cox stated his request would be for the Authority to take some kind of action to force the front house owner to get their own sewer line. From what Mr. Cox understands, sharing a lateral was permitted back in the 1970s when both parcels were owned by the same person, but that is no longer the case. Mr. Cox explained they would grant an easement to the front house owners so they could run a separate sewer line given that his house is the owner of the sewer line that runs to the Authority's main connection. Mr. Cox continued explaining this issue in greater detail with the history of the deeds, etc.

Mr. Labee questioned where does the third parcel come in?

Mr. Cox explained that is a vacant lot, the third rectangle on the mapping, in the very back of the property on Exhibit 1. This is still owned by the Carters who are both deceased and tax delinquent.

Mr. Cox explained his documentation in greater detail.

The Board discussed this topic in greater detail.

Mr. Kovach informed Mr. Cox that the renters in the front house have moved out and there is a lock box on the front door.

Mr. Cox reported that he was unaware of that.

PETERS CREEK SANITARY AUTHORITY
Regular Meeting February 26, 2024

Mr. Labee asked for Mr. Binotto's thoughts on this matter, the PCSA Solicitor.

Mr. Binotto replied, you have to understand as much as the Authority would like to help, we cannot take sides. We have no idea what the agreement is between you and the person using the line that goes through your property. Mr. Binotto explained that Mr. Cox mentioned adverse possession and stated if you have adverse possession, you have to still do a quiet title action to confirm that you own a Right-of-Way (ROW). The Authority cannot take sides. Mr. Binotto stated he would encourage Mr. Cox to get a local attorney to help you get this matter resolved. We can tell you that you are not in compliance with the PCSA rules and regulations; therefore, the Authority cannot approve the current situation. There was a sale and if at that time you would have done due diligence, the Authority would have advised the closing agent that this property is not in compliance. The Authority would have issued a letter informing you of this information. Apparently, there was never a request for a dye test or no lien letter.

Mr. Cox replied his biggest concern is that he owns that line so, in his opinion, he should be able to use that line as is. Technically, the owners of the front house would be out of compliance. Mr. Cox stated he is being refused water service right now and they need water for their home. Mr. Cox asked if it would be possible to set a future compliance date for the front and rear property and allow us to use water in the meantime.

Mr. Binotto stated he does not know how you could ask this Board to determine that. For all we know, the people who are using that line could have installed it and they own the line. The Authority cannot get involved in your dispute. However, if you want a quick remedy/solution, Mr. Binotto suggested which would be less expensive than litigation, you survey the property and install a separate line in accordance with PCSA regulations. In Mr. Binotto's opinion, that would be the easiest solution. Mr. Binotto stated he suggests that Mr. Cox get a lawyer to provide advice on this issue.

Mr. Cox explained he has spoken to council and our position is that is our line, and the front house owners are wrong for tying into our line. Mr. Cox is asking for the Authority not to take sides by continuing to allow them to use our line. It is presumed to be our line because it is on our property and connected to service.

Mr. Binotto stated the bottom line is both houses are non-compliant.

Mr. Lumsden asked if the sewer was in the back of the property or in front at the main street.

Mr. Kovach explained the address is 6129 Route 88 front and rear and both sewer to the back of the property. The sewer line that runs on Mr. Cox's property is out of compliance. Mr. Kovach asked if Mr. Cox could provide a document that shows there is a 20-foot easement and where the Authority brought out a 6-inch pipe to make a tap for the property.

Mr. Cox replied, if you take a look at Exhibit No. 2 on Page 3, there is the original survey with the 20-foot ROW for the sanitary sewer is on that. This survey was done back in 1976 and also the deed reserves those 20-feet to the sewer authority.

Mr. Kovach explained a private easement is not listed on the mapping and they need to see if this is recorded at the Washington County Court House.

Mrs. Cole asked if that survey from 1976 is the only one they have.

Mr. Cox replied yes, that is the only survey he has that shows the sanitary sewer. Mr. Cox explained they did a survey to determine where the lot lines were, but nothing further.

Mr. Kovach stated he was at this property today and asked Mr. Cox if that is his property where the utilities are being installed.

Mr. Cox replied no and for the water and electric we have permission from the neighbor, Mr. Haggerty.

Mr. Binotto stated you are required to have an easement in order to get utilities back there and Mr. Kovach informed me that they are on the neighbor's property.

Mr. Cox stated his understanding is they ran it along the property line and the neighbor was okay with it because they ran another line for him as well. Mr. Cox stated they have permission from the water and power companies.

**PETERS CREEK SANITARY AUTHORITY
Regular Meeting February 26, 2024**

17

Mr. Kovach stated you need to have more than a verbal okay from the neighbor.

Mr. Binotto added that a recorded easement would be needed.

Mr. Cox stated from his understanding they do not need one but he will doublecheck.

Mr. Kovach stated the driveway is owned by the front house and does not know if the driveway is shared to get to the back house.

Mr. Cox replied there is a reference in the deed to an implied easement for access and he dealt with that with the surveyor because when you split a lot off there is an implied easement of necessity.

Mr. Kovach explained the laterals are out of compliance, they need to provide easements, and permission from the other owners is needed. This information must be provided to PCSA.

Mr. Cox stated his biggest concern is if that sewer is on our property and we have had power and water there since the 1970s. We would have the prescriptive easement, it seems to Mr. Cox with due process, if the Authority is going to say that we are going to shut your sewer off and not let you use the sewer, then he is entitled to due process. Meaning, a notice from the Authority is given that they will terminate the sewer. Mr. Cox reported that they could possibly disconnect the sewer from the front house and we no longer allow them to run anything through their sewer because they own it.

Mr. Kovach asked if Mr. Cox and the front homeowner have another agreement between them that the Authority is not privy to?

Mr. Cox replied, we do not and that means it defaults so that they are not authorized to use our sewer line.

Mr. Kovach asked if Mr. Cox knew the front house is currently up for sale with no one living there.

Mr. Cox was not aware of that at all. Mr. Cox asked if the Authority would inform the front house owners that they are out of compliance and Senaca Leandro View does not authorize them to use our sewer line that goes on our property.

Mr. Labee stated when this property goes to closing, the same process that should have happened when Mr. Cox bought the property in the rear, PCSA should have been notified via a No Lien Letter/Dye Test request and then PCSA would have notified the closing agent the property was out of compliance.

Mrs. Cole stated she is a realtor and understands what happens often is that someone owns a piece of property and they want their child to move in so they give a portion of their property to a family member, which is what happened here. They are family and are all agreeable to sharing lines, etc. However, when the property goes up for sale and the same family members no longer live in the houses, this is exactly what happens. Mrs. Cole's experience has been that things like this are a mess when they are being sold outside of the family.

Mr. Labee stated the first house is for sale so that should resolve itself when it sells.

Mr. Kovach explained both houses were bought at a sheriff or tax sale and both did not follow the No Lien Letter/Dye Test process.

Mr. Cox stated yes, we bought this at a tax sale. If we bought it from a realtor, then obviously they would have notified the Authority. Based on Mr. Cox's research, he stated we are the priority holders of that sewer line and it is the other house that needs to become compliant.

Mr. Kovach asked why Mr. Cox thinks that he owns the sewer line lateral?

Mr. Cox replied he did some legal research on this and because we are the servient tenement and also the dominant tenement. The line is on our property and connects to our house first and therefore, they are the ones trying to share our resources where it is ours first. We are the owners of that and if they want to tie into something that is on our land, they will have to get permission or an easement, something, but until such time as they do that it is our land.

Mr. Labee asked what do you need from PCSA? You mentioned you need water on the property.

Mr. Cox replied, I am not trying to make blame, but this issue began because when we were finalizing items with PA American Water Company (PAWC), they were given a directive from the Authority not to connect our water. I asked what the legal basis was for doing that and they said they were going to check with their legal department.

Mr. Kovach explained he was on site today and saw that it appeared the water meter and water line was on the neighbor's property. We need to see an easement for that being on his

**PETERS CREEK SANITARY AUTHORITY
Regular Meeting February 26, 2024**

property. Before we can even address the sanitary portion, we need to have all of these easements addressed.

Mr. Cox stated he will get a permission letter from the neighbor. Mr. Cox stated he would like the Authority to address these issues with the owners of the front house when it gets sold.

Mr. Binotto reiterated that PCSA needs a copy of the recorded easement with a drawing showing the easement that is granted to the Authority.

Mr. Cox stated he has seen in the Deeds where it states "specifically subject to the Peters Creek Sanitary Authority's ROW as per the attached construction drawing dated July 1976. Mr. Cox has seen this information to be enforceable regarding a ROW since the Deed references a map and a description. Mr. Cox's request would be that the Authority says they will not take sides and adheres to that. Mr. Cox says he can prove that the line is on their property, and if someone else wants to run their sewer through someone else's property, then they need to work it out with that owner or get declaratory relief from the court. Mr. Cox stated he is willing to give them an easement.

Mr. Labee stated he appreciates Mr. Cox's time. Mr. Labee reported that Mr. Kovach, the PCSA Authority Manager, will work with you and give you the requirements necessary to move forward. Also, it may be taken over by events of the sale of the house. In any case, we understand your issues and we will provide further guidance and what your options will be moving forward.

Mr. Cox thanked the Board for their time tonight.

Mr. Labee suggested for Mr. Kovach to work with Mr. Binotto on this issue.

Mr. Binotto explained the problem is that we do not know if the home that is going through his alleged sewer line whether it does or does not own it by an agreement or prescription. In Mr. Binotto's opinion, the gentlemen should hire an attorney to resolve the issue and come to the Authority with surveys and arrangement in a quiet title action and that would cure the problem. Mr. Binotto stated he can be denied sewage. Union Township should not have issued an occupancy permit. This fell through the cracks because of the sheriff's sale. This would never have happened if he went through a normal sale with a realtor. **To be retained on agenda under Solicitor report.**

BOARD MEMBER COMMENTS:

1) Moment of Silence for Harold Breinig: Mr. Labee requested a moment of silence for the passing of Board Member, Harold Breinig on February 12, 2024.

2) Resignation Letter from Harold Breinig: Mr. Labee reported the Board will need a motion to accept Mr. Breinig's resignation letter.

A motion was made by Tom Lumsden, second by Chrissie Cole, to accept Mr. Breinig's resignation letter. Motion carried unanimously.

3) John Seiler, Announcement Regarding Multiple Board Positions:

Mr. Seiler explained he was asked to be an appointed Supervisor for Union Township. Prior to making that decision, Mr. Seiler talked to both Solicitors for PCSA and for Union Township. Mr. Seiler explained he is very sensitive to the topic of conflict of interest and he will work with both Solicitors in that regard.

Mr. Labee summarized that Mr. Seiler will hold two positions and he is informing the Board of that.

Mr. Seiler replied he will be holding three positions; he was also appointed as the Emergency Management Coordinator for Union Township.

APPROVAL OF JANUARY 22, 2024 REGULAR MEETING MINUTES:

Mr. Labee requested a motion to approve the January 22, 2024 Regular Meeting Minutes.

A motion so moved by John Seiler, second by Tom Lumsden, to approve the January 22, 2024 Regular Meeting minutes. Motion carried unanimously.

TOTAL BILLS FOR APPROVAL:

Mr. Labee requested a motion to approve the Bills for Approval.

PETERS CREEK SANITARY AUTHORITY
Regular Meeting February 26, 2024

19

A motion was made by Tom Lumsden, second by Rob Tucker, to approve the total bills for \$172,412.28. Motion carried unanimously.

BOARD MEMBER BILLS FOR APPROVAL:

Mr. Labee reported there were no Board Member Bills for Approval.

ENGINEER REPORT:

Written report submitted.

Mr. Fritz reported on the following:

1. Developments:

Hamlet of Springdale – Phase VI: Project proposes extension to existing Hamlet of Springdale residential housing plan in Peters Township with connection to Hamlet of Springdale Phase V. Construction of the extension is complete. Testing is complete. Drawings for an additional segment of sewer extending to the neighboring property were received September 1, 2021 and reviewed. Construction of the additional sewer segment was completed on September 13, 2021. Testing and CCTV of the additional sewer segment and finalization of As-Built drawings remain outstanding. LSSE issued letter dated February 17, 2023 to Developer regarding current status of the project. LSSE issued letter dated February 12, 2024 to Developer regarding current status of the project.

Highland Village – Phase 2: Sanitary sewer installation and testing complete. Developer notified PCSA that Grant of Sanitary Sewer Easement was not executed by Sea Mountain Ventures of PA, LLC. Therefore, contractor mobilized on-site October 2, 2023 to relocate one manhole within the previously recorded 20' PCSA sanitary sewer easement. During earthwork activities, the contractor discovered a void next to the relocated manhole. PCSA and LSSE met with Developer's contractor and geotechnical engineer to review the void on October 3, 2023. Following, a recommendation was received from the Developer's geotechnical engineer by letter dated October 4, 2023. Contractor was on-site October 9, 2023 to complete recommended earthwork activities to address the void. Subsequent report received from the Developer's geotechnical engineer by letter dated October 16, 2023. Revised As-Built drawings received from Developer on October 12, 2023, currently under review. PCSA/LSSE received notification from Developer's engineer that relocated manhole was installed several inches over the 20' sanitary sewer easement. Contractor mobilized on-site November 20, 2023 to relocate manhole entirely within the existing 20' sanitary sewer easement. Approved As-Built drawings were distributed to PCSA by letter dated February 8, 2024.

Castlewood Fields – Phase 3A: Development consists of 13 EDUs (13 single-family homes), approximately 500 LF of proposed sanitary sewer and one connection point to existing sanitary sewer constructed during Phase 1 of this development. Pre-Construction Meeting held on July 28, 2023. Material data sheets submitted and reviewed by letter dated August 1, 2023. Pre-Construction Meeting Minutes issued to all parties on August 3, 2023. LSSE reviewed construction cost estimate and issued recommendation regarding performance and labor bond amount to PCSA by letter dated August 3, 2023. Additional material data sheets submitted and reviewed by letter dated August 22, 2023. Construction on sanitary sewer anticipated to start this week pending receipt/approval of remaining administrative items. Notice to proceed issued to Developer by LSSE letter dated August 31, 2023. Sanitary sewer installation and testing complete. As-Built drawings received from Developer on January 17, 2024, review letter issued February 19, 2024.

Nottingham Heights (formerly Lutes Road Property): This development proposes 96 EDUs (96 single family patio homes) located along Lutes Road in Nottingham Township. Capacity availability request received by PCSA by letter dated October 5, 2023. Capacity availability

PETERS CREEK SANITARY AUTHORITY
Regular Meeting February 26, 2024

letter was issued to the Developer's engineer on October 25, 2023. PCSA received request from Developer by letter dated November 17, 2023 to allow for a portion of the proposed development to be located outside of PCSA's service area. Request reviewed with PCSA Board at the November meeting. LSSE provided response to Developer by letter dated December 1, 2023. Escrow deposit received from Developer on February 6, 2024 for PCSA to seek approval to revise their service area as discussed at the January meeting. LSSE is currently preparing a letter for submission to PCSA's Member Municipalities requesting to revise the defined PCSA service area.

Mr. Chenevert suggested that details be provided to the PCSA Member Municipalities citing why this is the exception to the rule and how it differs from previous requests.

Mr. Seiler suggested to state that PCSA's policy is based on the fact that 75% of the development is already in the PCSA service area. Mr. Seiler clarified that this request letter will go first to the PCSA Member Municipalities, Finleyville Borough, Nottingham Township, Peters Township, and Union Township.

Mr. Fritz confirmed that is correct.

Trax Farms Plan No. 1: Proposed lot line relocation between two (2) existing lots along Sugar Camp Road in Peters Township. Recording Plan received from surveyor on January 3, 2024. Revised Recording Plan received from surveyor on January 11, 2024. Recommendation of recording plan signature was issued to PCSA by letter dated January 24, 2024.

Trax Farms Plan No. 2: Proposed lot line relocation between two (2) existing lots along Turkeyfoot Road in Peters Township. Recording Plan received from surveyor on December 20, 2023. Revised Recording Plan received from surveyor on January 11, 2024. Recommendation of recording plan signature was issued to PCSA by letter dated January 24, 2024.

Castlewood Plan of Lots – Lots 152 A-E: Proposed lot line relocation between five (5) existing lots along Dana Drive in Nottingham Township. Recording Plan received from PCSA on January 31, 2024. Recommendation of recording plan signature was issued to PCSA by letter dated February 12, 2024.

2. PCSA Corrective Action Plan/PA DEP Tap Approval:
Second Period 2023 CAP Report: Request for information issued to PCSA by letter dated December 29, 2023. Second Period 2023 CAP Report was issued to PA DEP by letter dated January 31, 2024.
3. GIS Updates: Asset Management discussed with the Board at the December Board Meeting. GIS Presentation prepared for the January Board Meeting. As authorized by the Board at the January Board Meeting, PCSA and LSSE have been coordinating with ESRI to set up an ArcGIS account for PCSA.
4. PCSA Projects:
Interceptor Manhole Repairs: Field walkthrough with PCSA and LSSE conducted on March 9, 2023, 50% of project site walked. Field walkthrough for remaining 50% of project site to be completed week of March 27, 2023. Wetland delineation required for Pa DEP stream crossing permit is approximately 75% complete. Field walkthrough and wetland delineation completed by LSSE. LSSE actively working on General Permits and Erosion and Sedimentation Plan and Report for submission to the Pa DEP. Act 14 issued to Union Township and Washington County via letters dated June 16, 2023. Chapter 105 General Permit Registration Package and Erosion & Sedimentation Control Plan issued to Washington County Conservation District (WCCD) on June 27, 2023, pending comments/approval.

PETERS CREEK SANITARY AUTHORITY
Regular Meeting February 26, 2024

21

Comments received from WCCD for Chapter 105 and Erosion & Sedimentation Control Plan. LSSE met with WCCD on August 9, 2023. Act 14 issued to South Park Township and Allegheny County via letters dated September 12, 2023. Review comments were addressed by LSSE via letters dated September 22, 2023. Comments received from WCCD for Chapter 105 and Erosion & Sedimentation Control Plan. LSSE met with WCCD on November 9, 2023. Review comments were addressed by LSSE via letters dated November 13, 2023. WCCD and Allegheny County Conservation District (ACCD) approvals received on November 15 and November 20, 2023, respectively. Construction drawings and contract documents are being drafted. Board authorized LSSE to bid contract once contract documents are finalized. Bid opening is scheduled for the March Board Meeting. **To be retained on agenda.**

Finleyville-Elrama Road Extension:

- a. PCSA Manager and LSSE met on-site on August 17, 2023 to review preliminary layout of proposed pump station, force main and gravity sewers.
- b. Board authorized LSSE to obtain proposals at the July Board Meeting for a geotechnical engineering report for the proposed pump station site and contingent approval to award contract provided proposal is below \$10,000. LSSE received five (5) quotes, all below the \$10,000 threshold. LSSE/PCSA to discuss the same with property owner.
- c. Act 537 draft reviewed with Board at the August Board Meeting and issued to Union Township via letter dated September 1, 2023. Comments on Act 537 draft were received from Bankson Engineering by letter dated September 18, 2023. Joint meeting with Union Township was held on September 19, 2023, LSSE attended with several PCSA Board Members. Action items from this meeting include the following:

PCSA/LSSE:

- i. Update Act 537 Plan Report to address Bankson Engineers' comments.
Status: Updates completed. Revised Act 537 Plan Report issued to Union Township by letter dated January 15, 2024. Response letter to Bankson Engineers comments issued to Union Township by letter dated January 15, 2024. Response letter to Bankson Engineers comments issued to Union Township by letter dated January 15, 2024. Union Township advertised Act 537 for 30-day public comment period (February 9 – March 10). Resolutions for Act 537 prepared by LSSE for execution by PCSA and Union Township.
- ii. Issue capacity availability request letters to South Park Township (PCI), Jefferson Hills Borough (PCI) and CMA (STP). LSSE issued capacity availability request by letters dated October 4, 2023. Status: Capacity availability received from Jefferson Hills by letter dated October 23, 2023. Capacity availability received from CMA on November 22, 2023. South Park Township capacity availability letter is still outstanding.
- iii. Initiate dialogue with property owners near lift station.
Status: Representatives from PCSA, LSSE, Union Township and Bankson Engineers met with property owners on September 25, 2023. Preliminary sketch of Lift Station parcel provided to property owner to continue dialogue.
- iv. Schedule dialogue with Union Township / Bankson Engineers with respect to ROW acquisition process (forms of agreement, property owner meetings, etc.)
- d. Wildcat Sewer Investigation – 36" wildcat running along Finleyville-Elrama Road discussed with Board at the October Board Meeting. As authorized, LSSE obtained proposal from contractor(s) to test pit the wildcat. As authorized, alternate route for collection system reviewed by LSSE, discussed with Board at the November Board Meeting. Right of Entry & Temporary Grant of Right-of-Way Agreement executed by the four (4) property owners. Contractor completed test pits on January 25, 2024 and restored properties on February 12, 2024.

**PETERS CREEK SANITARY AUTHORITY
Regular Meeting February 26, 2024**

- e. Amendment to the MOU discussed with the PCSA Board Members at the November Board Meeting and issued to Union Township by letter dated November 21, 2023 by the PCSA Solicitor. PCSA/LSSE received notice that the Amendment to the MOU was approved and executed by Union Township at their December 7, 2023 meeting.
- f. Act 537 30-Day Public Comment Period – one comment received to date, this will be discussed with the PCSA Board at the February Board Meeting.
- g. Updated schedule included in the February Board Meeting packets.

Mr. Fritz reported that one public comment has been received to date. The public comment period will end on March 10, 2024. The test pits were completed and Mr. Fritz gave a summary of the test results. The 24" pipe was located next to the Barna property at 4042 Finleyville-Elrama Road. At the second and third test pits a 6" pipe was found. It appears the 24" pipe nets down to a 6" pipe as it goes upstream. On the fourth test pit, we did not locate a pipe, which was anticipated. Mr. Stanton explained that pipe will need to be in operation until the lift station and sewer lines are in operation. Mr. Stanton explained in greater detail the proposed running of the sewer line since the tests confirmed the depths of the wildcat sewer and the diameter of the pipe.

Mr. Lumsden asked if that was a corrugated metal pipe because it appears that several residents' leech beds were against that pipe and that metal pipe may be rusted and sewage may be seeping into that pipe and running across Mr. Barna's driveway.

Mr. Fritz replied the 24" pipe was corrugated and the 6" pipe was cast iron.

Mr. Labee explained that is not PCSA's pipe.

The Board discussed this topic in greater detail.

Mr. Seiler asked if Union Township will take that pipe out after the project is done?

Mr. Fritz explained it is his understanding that once this project is completed Union Township will then be able to tie that pipe into the stream located downstream.

Mr. Stanton added the key element is the mandatory connection ordinance. Once the system is operational, those residents will not have the ability to use the on-lot system. They will be required to tie into the public sewer system.

Mr. Binotto asked the engineers if it was determined that pipe was attributable to Mr. Barna's issue with his driveway and runoff?

Mr. Fritz replied, in his opinion, most likely yes because that pipe ends abruptly right around where Mr. Barna's property line begins.

Mr. Binotto stated that would explain why sewage effluent is on the driveway and Mr. Fritz agreed.

Mr. Fritz reported that the South Park Township capacity availability letter was received in February and will be appended to the Act 537 Plan. Also, an updated schedule was handed out at the beginning of this Board Meeting.

Mr. Seiler stated he and the Union Township staff would like to thank Mrs. Gosliak for taking the time to split up the Amended Act 537 Plan, because the document was so large, and sending it to Union Township in three separate files so it could be posted to their website. **To be retained on agenda.**

State Road Manhole Improvements Project: LSSE issued an award letter to Contractor by letter dated May 3, 2022. A pre-construction meeting was held on May 27, 2022. Notice to Proceed was issued to Contractor by letter dated June 27, 2022. Approximately 35 out of 55 manholes have been completed to date. Contractor has submitted Partial Payment Request No. 3 in the amount of \$130,977.00. LSSE issued recommendation for payment letter on November 15, 2022. Contractor did not complete any manholes in November/December due to material shortages. Once materials are received, Contractor plans to continue working until asphalt plants shut down for the season. LSSE is coordinating with the Contractor related to schedule. Contractor stated delay due to traffic control crew availability. Contractor completed seven (7) manhole repairs in preparation of the 2023 Union Township Paving Program as directed by PCSA. Costs associated with the seven (7) manhole repairs to be discussed with the Board at the June Board Meeting. Change Order No. 1 issued to the

**PETERS CREEK SANITARY AUTHORITY
Regular Meeting February 26, 2024**

23

contractor by LSSE letter dated June 28, 2023. LSSE sent Change Order No. 1 to PCSA on August 3, 2023. Board action required for Change Order No. 1. LSSE reviewed Partial Payment No. 4 in the amount of \$24,795.00 by letter dated August 8, 2023. The contractor is tentatively planning to remobilize in May 2024 to complete the remaining work.

Hidden Hollow Sanitary Sewer Replacement Project: Twelve existing dwellings located near Hidden Hollow Road are currently served by private sanitary sewer that discharges to PCSA sanitary sewer located near the intersection of Route 88 and Hidden Hollow Road. As discussed at recent Board meetings, sale of the property was being proposed. The existing homes are located on Parcel #1 (to be sold) and the existing sewer crosses Parcel #2 (to remain under current ownership). PCSA proposed to adopt the existing private sanitary sewer main with the current or potential Owner bringing the private laterals into compliance with PCSA requirements. Existing private easement for existing sewers on Parcel #2 will be required to be dedicated to PCSA and a new easement on Parcel #2 to be dedicated PCSA is required. Any existing or proposed right-of-way encroachments will also need to be reviewed. LSSE has researched and provided existing mapping/easement documentation to PCSA. PCSA coordinating with potential Owner regarding PCSA requirements. PCSA requirements pertaining to PCSA adoption of main line sewer and sale of property issued to potential Owner via letter dated February 18, 2022. PCSA and LSSE have coordinated with property Owner regarding dedication of easements to PCSA and dye testing requirements. As authorized by the Board, LSSE reviewed the CCTV information provided and developed a conceptual schematic scope of work and OPC. A Service Order Authorization (SOA) was approved by Board at February 2023 Board Meeting. Survey and drawing preparation scope of work have been initiated and are in progress.

- a. Construction drawings are approximately 75% completed, specifications have been drafted and permit documents have been drafted. Erosion & Sedimentation Control Plan issued to Washington County Conservation District (WCCD) August 7, 2023, pending comments/approval. Comments received from WCCD. Response to WCCD comments issued by letter dated November 7, 2023. Part II approval received from Pa DEP by letter dated January 8, 2024. Once WCCD approval letter is obtained, LSSE will prepare advertisement. LSSE provided response on February 1, 2024 to comments received from WCCD.
 - b. LSSE to discuss authorization to bid contract contingent upon permit submission/approval with the Board at the July meeting. Board authorized LSSE to bid contract at the July 2023 meeting. **To be retained on agenda.**
5. 2024 RACW LSA Grant Program: Board elected to submit the McCombs Road Sanitary Sewer Replacement Project. As authorized at the October Board Meeting, LSSE prepared the LSA Grant Application Package. 2024 LSA Grant Application package was hand delivered October 25, 2023. Application interview held with Redevelopment Authority of the County of Washington (RACW) on January 16, 2024. PCSA received notice that the LSA Grant Review Committee recommended \$758,000 in grant funding for the subject project. Mr. Fritz explained the Authority Manager will cover this topic under his report.

FIELD REPORT:

Written report submitted.

Mr. Kovach reported on the following:

1. Manhole Interceptor & Collector Rehabilitation: Part of the Rehab Repair/Maintenance and Infiltration/Inflow (I/I) process includes manholes being reviewed throughout the system at different locations, dates, and times. The PCSA process is ongoing as part of the PCSA operational procedure. Manholes at various times need rehabilitated leading to PCSA requesting pricing and availability from the contractor(s). This is an ongoing process and/or as the need arises. The latest was a raised manhole on Butternut Lane in Nottingham Township.

PETERS CREEK SANITARY AUTHORITY
Regular Meeting February 26, 2024

Also, NVR Ryan Homes per PCSA requirement recently raised 3 manholes in the Castlewood Fields Phase 1 Plan. **To be retained on agenda.**

2. Hidden Hollow Sanitary Sewer Replacement Project: As previously reported, this is another 2024 project proposed once all permitting, etc. becomes approved. Previously, the Board approved advertisement for this project once all required documents, etc., are LSSE prepared, approved, and received. Greg Costa owns a parcel in that area and is required to install new laterals once the sewer line extension is constructed. Also, Mr. Costa has been in discussion with LSSE/PCSA requesting additional development in this area. Mr. Costa must first present his building proposal to Union Township. **To be retained on agenda.**
3. Right-of-Way (ROW) Clearing: This has been field reviewed and is still being evaluated by LSSE/PCSA for 2024 and future work beyond as part of a current and future program. This will be reported to the Board once a configured plan is formulated.
4. Snee Road Bridge & PCSA Interceptor Beyond: To this point in time, there have been no reported backups to the approximately 1 mile of PCSA sanitary sewer interceptor on the opposite side of Peters Creek since the Snee Road Bridge has been removed. However, Union Township placed a request for LSA RACW grant funding to replace the Snee Road Bridge but that request was not approved. Mr. Kovach request Mr. Seiler to report any update from Union Township on this vital and important matter to PCSA.

Mr. Seiler reported that no new development has occurred.

SOLICITOR REPORT:

Mr. Binotto reported on the following:

1. CMA Phase II Expansion and Committee Meeting, Review of Report:

Mr. Binotto explained the CMA February committee meeting was cancelled because there was nothing significant to report. The documents are in the Board Meeting packets. This topic will remain on the agenda for future discussion.

Mr. Binotto reported there is an exchange of correspondence in the Board Member packets between Larry Lennon and the engineer for CMA concerning the reduction of retainage for the concrete contractor from 10% to 5%. Mr. Lennon is paying very close attention to the contract. It appears the contractor has completed nearly 80% of the work and it appears the reduction is appropriate. Mr. Binotto encouraged everyone to take a look at that correspondence. **To be retained on agenda.**

2. PCSA Board Member Attendance Fee Increase Update, PA Municipal Authorities Act:

Mr. Binotto reported a motion was passed at the last Board Meeting to increase the Board Member attendance fees from \$50 to \$75 per meeting. Mr. Binotto completed all of the Resolutions and sent them to Finleyville Borough, Nottingham Township, Peters Township, and Union Township and their respective Solicitors. Hopefully by the next PCSA meeting, we will have permission from all of the PCSA Member Municipalities. Mr. Liekar, Nottingham Township Solicitor, has already responded that he does not see a problem with this request and Resolution. **To be retained on agenda.**

3. South Park Mobile Estates (SPME): PCSA Request to Review Requirements: Mr. Binotto reported that he reviewed a package provided by PCSA of the request to update the SPME requirements. Mr. Binotto will discuss further with the engineer and PCSA.

Mr. Binotto reported he, Mr. Kovach, and Mr. Fritz are working on this and should have a report at the next meeting. **To be retained on agenda.**

AUTHORITY MANAGER REPORT:

Written report submitted.

PETERS CREEK SANITARY AUTHORITY
Regular Meeting February 26, 2024

25

Mr. Kovach reported on the following:

1. 2024 Washington County Local Share Account (LSA) Program: The Redevelopment Authority of the County of Washington (RACW) Local Share Project briefing presentation by LSSE/PCSA for requested LSA grant funding took place on January 16, 2024.

As a recap, the 2024 LSA presentation was for the rehabilitation project McCombs Road Sanitary Sewer Replacement Project located in Peters Township. The project scope of work consists of in-trench replacement of approximately 6,750 linear feet of existing sanitary sewer with larger diameter sewer. This will increase the hydraulic capacity of the sanitary sewer and reduce ground water infiltration (GWI) and rainfall dependent infiltration and inflow (RDI) within the sanitary sewer system.

The total project budget is estimated at \$1,516,700. PCSA/LSSE requested \$758,000 in LSA grant funding with a 50%+ match. The RACW Roundtable Review Committee recommended \$758,000, the full amount requested for project funding. The project list, including the PCSA project, was then presented to the Washington County (WC) Commissioners which was approved on February 15, 2024. So PCSA should be receiving a letter from the Washington County Commissioners in the near future reporting that the PCSA project was recommended for LSA Washington County funding and will be forwarded to the Pa. Department of Community and Economic Development (Pa DCED) for a March 31, 2024 deadline response for requested approval.

Mr. Kovach reported that Mr. Fritz and he presented this grant application in January. This is the first time in the history of PCSA that the full amount of requested LSA grant funds which was \$758,000 was recommended to the Washington County Commissioners for Pa DCED final approval. The highest grant amount in the past was \$200,000+. Mr. Kovach explained how excited we are about receiving this grant for the McCombs Road Project. Unfortunately, last year PCSA did not receive a grant at all. Mr. Kovach explained this grant was really needed for this project and this is not going to be an easy project to rehabilitate, but it is absolutely necessary.

Mr. Seiler asked if we could put this information on the PCSA website.

Mrs. Gosliak explained she was planning to put some information on the website; however, she was going to wait until PCSA received the official notification from PA DCED.

Mr. Tucker stated he would like to thank the staff and the engineers for their efforts in obtaining this grant which was substantial compared to other grant amounts approved.

2. Certificate of Deposit (CD) & Resolutions 2024-024 and 2024-04 for Bank Transactions: The two \$100,000 CDs at First National Bank matured on January 30, 2024 and were cashed in soon after and funds were deposited in Clearview Federal Credit Union for PCSA to receive a better rate. Mr. Kovach has been in contact with various financial institutions to discuss renewals, withdrawals and deposits of the CDs and funds from possible bank accounts.

There are two Resolutions to be discussed with the Board. One is in preparation for the Freedom Capital Group, LLC who would deposit PCSA funds in financial institutions of PCSA's choice. The other is a Resolution for general purposes as the review process continues reviewing rates at various financial institution locations.

Mr. Kovach explained that Mrs. Gosliak is going to talk about one of the Resolutions regarding CDs. First, Mr. Kovach reported that recently the Executive Committee signed Resolutions for the money withdrawn from First National Bank and deposited into Clearview Federal Credit Union. Mr. Kovach wants to continue this process and the financial institutions require paperwork in order for Mr. Kovach to be able to move this money from one investment to another. Mr. Kovach explained he met this gentleman at the Annual PA Municipal Authorities Association training a few months ago and requests a Resolution on his paperwork.

PETERS CREEK SANITARY AUTHORITY
Regular Meeting February 26, 2024

Mrs. Gosliak explained she will continue where Mr. Kovach left off. The other Resolution that we request is on the bank's paperwork so it looks a little different; however, it is listed as Resolution No. 2024-04. The second is Resolution No. 2024-02. Mrs. Gosliak explained these banks need the Authority Manager to have the ability to deposit and/or withdraw or transfer monies related to CDs. In order to do so, they require the PCSA Executive Committee to authorize that via a Resolution. This will allow the Authority Manager to continue negotiations with the banks for CD rates.

A motion so moved by Tom Lumsden, second by Rob Tucker to approve Resolution No. 2024-02. The Board discussed this in greater detail.

Mr. Chenevert asked if all of the banks are local?

Mr. Kovach replied, some are local some are not, but all are FDIC insured.

Mr. Chenevert stated he liked the idea of investing in local banks. Is there any reason we can't stay local?

Mr. Kovach replied because of better rates.

Mr. Chenevert stated he understands better rates can get us perhaps \$5,000, but he would feel much better if we stayed local. Mr. Chenevert stated we can chase rates all over the place, but there is a risk involved when chasing rates.

The Board discussed this in greater detail.

Note: Mr. Chenevert wanted it noted that he is not as comfortable if we are not using a local bank.

A motion was amended by Tom Lumsden, second amended by Rob Tucker, to approve Resolution No. 2024-02 and Resolution No. 2024-04 as presented. Paul Chenevert abstained. Motion carried.

3. Commercial Insurance – Cyber & Technology Errors and Omissions Policy: Mr. Kovach wanted to provide some background information to this request which coincides with the Outside the Box I.T. work approved. Previously, Mr. Kovach discussed with Chairman Labee approval for Outside the Box I.T. to install a firewall to the PCSA network for security to help negate the PCSA system from cyber fraud. Also, this is required to be compliant with any Cyber Insurance added to the PCSA Commercial Insurance Policy. More and more company I.T. systems are being compromised from fraudulent activity to their networks. Even though there is no guarantee that fraudulent activity cannot occur on the PCSA system, both items discussed will help negate cyber fraudulent activity.

Discussion with Mr. Cole and Mr. Simonin led to informing Mr. Kovach that the needed installed firewall and the Cyber Policy go hand in hand for protection and coverage and more businesses are obtaining this policy coverage.

Mr. Kovach reported it has been in the news that Washington County had a cyber-attack that cost them over \$300,000.00. Mr. Kovach has been talking to our IT company regarding safeguards for cyber-attacks. After discussion with Chairman Labee, the PCSA has already approved our IT company to install a firewall. In the meantime, Mr. Kovach has been working with our IT company and Mr. Simonin from our insurance company. Mr. Simonin is researching a policy from Coalition who handles a Cyber Error and Omissions insurance policy. At this time, the company is so busy right now they did not have time to provide a quote. The plan is for a quote to be provided by the next Board Meeting. In addition, Mr. Simonin will get a quote from our current EMC insurance. Our current EMC insurance has a \$500,000 policy and Coalition has a \$1 million policy. Mr. Kovach informed the Board of the steps that have been taken so far.

Mr. Seiler added Washington County was advised by the experts not to pay for this cyber-attack, but the County paid them anyway. Mr. Seiler stated it appears to be an insurance policy, but we would have to follow what is recommended.

Mr. Kovach replied, yes but hopefully that will never happen. If it did, we would come before the Board for a decision to be made.

The Board discussed this topic in greater detail.

**PETERS CREEK SANITARY AUTHORITY
Regular Meeting February 26, 2024**

27

Mr. Kovach explained that PCSA's commercial insurance agent, Mr. Simonin, will research this and present information at the next Board Meeting as well as the health insurance coverage if he has received this information too. **To be retained under Public as Rob Simonin of the Rob Simonin Insurance Agency insurance presentation.**

4. Statement of Financial Interests: The form is for your completion to comply with the annual filing requirements of the Public Official and Employee Ethics Act 65 PA C.S. § 1101 et seq. This document is for the 2023 calendar year requested information required to be filed by May 1, 2024. *Please provide the completed form to Mrs. Gosliak at the PCSA office or you can place your completed form in the PCSA drop box as soon as possible for proper filing. **To be retained on agenda.**
5. Board Member Training: The Pennsylvania Municipal Authorities Association (PMAA) Board Member Training is both in person and virtual. The in-person training for the West is scheduled for March 14, 2024, Thursday at the Doubletree by Hilton, 910 Sheraton Drive, Mars, Pa.

The in-person registration pricing prior to February 24, 2024 is \$140.00 per person since PCSA is a PMAA Member. The virtual registration as a PMAA member is \$75.00. The Virtual training date is April 11, 2024. (Information, including the agenda, was previously provided in your past Board Meeting packet). Also, Mrs. Gosliak discussed this with you at the January 22, 2024 Regular Meeting. *Please let Mrs. Gosliak know as soon as possible if you are interested in attending. **To be retained on agenda.**

6. Sanitary Sewer Tap Review & Recap:
Taps sold 01/01/24 - 01/31/24 is (0) as attached to my report.
The 2023 taps sold were 95. The 2024 Capital Budget projects selling 120 taps which could be a number extremely high or PCSA could come close to or sell all PCSA 150 taps allocated.

Projecting taps sold number is difficult to project for two reasons:

- i. The tap number is a +/- number depending on Area Developer/Builder or residential purchase and/or progress status from the 2023 to 2024 calendar year.
- ii. Many of the previous development taps were purchased in a prior year or the Developer decided to sell taps for individual lots. There are developments that were far enough along in 2023 to purchase taps or that met the PCSA requirements to purchase restrictive taps.

To be retained on agenda.

CHAIRMAN REPORT:

Mr. Labee stated he has nothing new to report except that he did have discussions with Mr. Kovach regarding Cyber Insurance.

FINANCIAL REPORT:

Mr. Labee asked the Board to review the financial report and requested a motion to approve the January 31, 2024 financial report.

A motion so moved by Tom Lumsden, second by Rob Tucker, to approve the January 31, 2024 financial report. Motion carried unanimously.

OLD BUSINESS:

4042 Finleyville Elrama Road Holding Tank:

PETERS CREEK SANITARY AUTHORITY
Regular Meeting February 26, 2024

Mr. Lumsden asked about the tank that was being emptied at Mr. Barna's property, regarding the Finleyville-Elrama Road sewer line extension project, by Union Township two and three times a week at 2,500 to 5,000 gallons per time. Mr. Lumsden stated there must be some kind of major spring somewhere and asked LSSE if they uncovered anything like that when they exposed the pipe.

Mr. Fritz replied, they did not uncover anything like that, but in talking to property owners, we have heard of not just one spring but of several springs.

Mr. Lumsden explained this is a lot of water that Union Township is pumping out of there every week. Pumping 7,500 gallons a week out of that tank means we have a real problem that needs to be found because PCSA does not want that amount of water going into our system after the public sewer is installed. Mr. Seiler confirmed Union Township is still paying to get that tank pumped out.

NEW BUSINESS: None.

THE CORRESPONDENCE WAS REVIEWED.

Letter to PCSA Member Municipalities Requesting 2024 Street Resurfacing Schedule -- Complete:
 Mrs. Gosliak explained she received street resurfacing information from all of the PCSA Member Municipalities.

2024 LSA Grant for PCSA McCombs Road SLE Project, Article -- Commissioners Approved Projects.

PMAA Class Presentation -- Streamlining Operations Using GIS & Automation, taken by Mr. Seiler:

Mrs. Gosliak reported that Mr. Seiler, Bill Fitzgerald, Rick Kovach, and Mrs. Gosliak took this class and Mr. Seiler wanted to share a copy of the presentation from the training with the Board in case anyone was interested.

EXECUTIVE SESSION:

Mr. Labee called for an Executive Session at 7:12 p.m. to discuss the Finleyville-Elrama Road Sewer Line Extension Project.

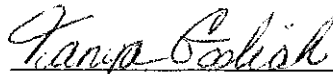
Mr. Labee dismissed Mr. Withers, the Constable, at the start of the Executive Session.

Mr. Labee reconvened the meeting from the Executive Session at 7:35 p.m. after discussing the Finleyville-Elrama Road Sewer Line Extension Project.

ADJOURNMENT:

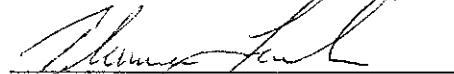
The Chairman adjourned the meeting at 7:36 p.m.

MINUTES PREPARED BY:



Tanya Gosliak, Assistant Authority Manager

APPROVED BY THE BOARD:



Thomas Lumsden, Secretary