

PETERS CREEK SANITARY AUTHORITY
Regular Meeting March 25, 2024

29

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, James Barner, John Seiler, and Christopher Labee.

MEMBERS ABSENT: None.

OTHERS IN ATTENDANCE: Tanya Gosliak, Rick Kovach, Phil Binotto, and Eric Fritz.

The Pledge of Allegiance was recited.

PUBLIC COMMENT:

Mr. Labee asked the public in attendance if they had a public comment or were here to observe and the response was to observe.

1) Robert Simonin, Robert Simonin Insurance Agency, Employee Health Insurance Renewal Review:

Mr. Labee introduced Mr. Simonin and turned the floor over to him to discuss the employee insurance renewal review.

Mr. Simonin reported he will discuss the health insurance renewal review which is for May 1, 2024. Mr. Simonin explained the current health plan from Highmark in greater detail. The premium last year actually went down by \$103 per month. This year the premium has increased by \$482.29 per month mostly because everyone is one year older. The rates remain similar to last year, but there is almost always an increase because of the age factor.

Mr. Lumsden asked if that is the only change and the response was yes.

A motion was made by Tom Lumsden, second by Chrissie Cole, to stay with the current health care plan that Mr. Simonin presented tonight and approve the renewal of Performance Platinum Blue PPO including vision as presented. Motion carried unanimously.

2) Cyber Solutions Coverage Review:

Mr. Simonin explained the second reason he is here tonight is for Cyber Solutions Coverage. He explained that many of you may have heard what happened in Washington County with the cyber-attack that occurred. Mr. Simonin stated he would be remiss if not bringing any type of alternative insurance to the Board's attention. You may remember when we spoke in August about the Authority's commercial insurance annual renewal, there are always exclusions in property and liability policies. One of those exclusions is cyber liability & cyber theft. Everyone should have a proposal for cyber coverage in their packets. There are three columns with two different companies. One company is Coalition and the other is from EMC. EMC offers a cyber endorsement. This is a very basic endorsement. Utility companies in general are more likely to have a cyber-attack. Unfortunately, and Mr. Simonin does not agree with this, but insurance companies are classifying the Authority as a utility. Mr. Simonin does not think the Authority should be classified as a utility, but technically the Authority falls under the category of utility versus a school district, village, township, borough, etc. The rate for a municipality is much lower than the rate for a utility. Mr. Simonin explained the three options for the Authority to obtain cyber coverage in greater detail. Also, Mr. Kovach worked with the Authority's IT company, Outside the Box IT, and Mr. Simonin to fill out the necessary information to obtain a quote for cyber coverage. Mr. Simonin explained he wanted to provide this information to the Board so they were knowledgeable about this topic and decide if this is something they would like to have for the Authority. Mr. Simonin explained he did a lot of research and all of the companies, such as Travelers, Liberty Mutual, etc. They all consider a sewage authority as a utility and all have a similar thought process except for EMC which puts a limited endorsement on the policy with coverage in every category that is important to the Authority. The conversations that are going on in this industry is asking if these premiums will lower as this type of coverage becomes more

PETERS CREEK SANITARY AUTHORITY
Regular Meeting March 25, 2024

popular. Mr. Simonin shared that locally his agency has had four clients who have been cyber-attacked. It has compromised two of those businesses to shut down for over a week and has cost over \$50,000 to get their system restored. This is not covered by regular commercial property insurance. This is why Mr. Simonin brought this information to the Board tonight.

Mr. Kovach added that he and Mr. Simonin have had extensive talk about this subject. Washington County, Canon McMillian School District and a local body shop have all had cyber-attacks recently. In addition, Mr. Kovach shared that Mrs. Fitzgerald's husband's company experienced a cyber-attack and they ended up paying \$90,000. Mr. Kovach worked with our IT company and Mr. Cole to set up a firewall on our system. The insurance companies will not even offer cyber coverage if you do not have a firewall in place. Also, PCSA has had an issue with bad checks trying to get cashed from the Authority's bank account. PCSA has worked with Brentwood Bank and they put a system in place called Positive Pay. In March 2024, PCSA had 10 bad checks so the staff made a decision to close the capital account and open a new account in order to put a stop to this. In fact, after the account was closed, someone tried to compromiser PCSA again by trying to cash three more checks. Luckily, none of these checks succeeded and no money was paid out. In Mr. Kovach's opinion, this coverage is expensive but also a must for what has been happening all around us.

Mr. Simonin added that he fought to get the Authority classified as something other than a utility but could not. Coalition only sells cyber insurance and this is their only focus.

Mr. Barner asked to confirm what he was reading and stated if we had the coverage from the second option on the list and we were cyber-attacked, it would cost the Authority \$75,000 out of our pocket before we got a nickel of insurance. And the response was yes.

The Board discussed each type of coverage in greater detail.

Mrs. Cole added that she attended a meeting this week and Washington County Commissioner, Larry Maggi, explained the attack on Washington County was from Russia.

Mr. Simonin summarized that he is not asking for a decision tonight, but wanted to bring this information to the Board for discussion. He does not want to see the Authority involved in this type of situation and may have to answer as the Authority's Insurance Agent saying there is no cyber coverage. Mr. Simonin explained this was put out for bid with a lot of different companies before he came to present this information to the Board tonight.

Mr. Kovach reiterated that he was told that a firewall would have to be installed before PCSA could even get a quote for a cyber policy.

Mr. Simonin reported that this is correct and added if PCSA doesn't have a firewall you will not get a cyber policy. A firewall is a mandatory must.

Mr. Labee asked about the client that Mr. Simonin had who had to pay \$50,000 to restore his system, would that have been covered under the EMC Cyber endorsement listed on the right-hand column?

Mr. Simonin replied, the cyber extortion coverage would have capped off basically at \$30,000 (minus the first \$5,000) they would have paid \$25,000.

Mr. Labee asked many questions about the specifics of the coverage included in a cyber policy.

The Board discussed this topic in greater detail.

Mr. Lumsden stated he has a question for Mrs. Gosliak. We have over 4,000 customers, but do we have any of their credit information?

Mrs. Gosliak replied, no. The Authority does not have any credit type information on its customers.

Mr. Lumsden stated we do not have credit information and the customers pay us by check or cash each month.

Mrs. Gosliak explained we do have a program set up through Brentwood Bank and our billing system called the Check-Less Program. Customers who use this program will have their debit account information or bank account information stored in our billing system. There is a data file that gets sent to Brentwood Bank each month for withdrawal to all of the customers who pay their bills with this program.

Mr. Lumsden explained the example where Target was cyber-attacked and now they had thousands of customers' credit card information, but the Authority does not have that type of customer information stored in our database. And, what about the system that Brentwood Bank put in place that was just talked about.

Mr. Kovach explained the system from Brentwood Bank called Positive Pay is to protect PCSA's bank accounts, but has nothing to do with PCSA's customer accounts.

Mr. Lumsden explained we do not own a sewage plant; therefore, we cannot be shut down.

Mr. Glaneman added that was also his question, if the Authority gets hacked, what information are they going to get? We have 4,000 customer addresses or account numbers. Mr. Glaneman fails to see what information could be gotten by a cyber-attack. He added that Aliquippa Sewage Authority was hit not too long ago and asked Mr. Simonin if he was familiar with that?

Mr. Simonin explained he was not familiar with that case. Normally what happens when a cyber-attack takes place, in Mr. Simonin's opinion, is that people get very tight-lipped and do not want to release information. They want to keep the public's confidence.

Again, Mr. Glaneman, Mr. Lumsden, and Mr. Barner fail to see what loss to PCSA there will be.

Mrs. Gosliak explained they could get access to our bank accounts and our customer's bank account information. Mrs. Gosliak confirmed that PCSA does not use any social security or driver license information from customers.

Mr. Labee summarized there are two extremes. One is a very expensive policy and the other is not. Mr. Labee asked if there is a middle ground.

Mr. Simonin replied, not really. The standard companies for this coverage are similar in price and many will not sell this type of coverage as a stand-alone policy.

The Board discussed this topic in greater detail regarding what the value of this coverage would be for PCSA.

Mr. Simonin explained in detail what coverage would be applicable for a cyber-attack on the Authority, how much would be covered by the EMC endorsement, and how to get the system back in order.

Mr. Tucker asked Mr. Kovach if he had a recommendation.

Mr. Kovach replied if nothing else, he would recommend approving the EMC Endorsement for tonight because everything else is so expensive and then we can do more research.

Mr. Simonin explained this has become such a hot topic in his industry that he has seen some insurance companies pull back and others developing specific policies. However, it is hard to say what will happen with prices in a few months. Mr. Simonin explained he is still trying to find a carrier that will not classify the Authority as a utility. If the Authority could be classified as a municipal authority, the cost would be substantially less.

Mr. Labee asked if there is a motion to proceed with any of these options or does anyone have more questions. Mr. Labee clarified in his opinion, \$1,600 is not a lot of money to have some coverage for a possible cyber-attack.

The Board discussed the pros and cons of this endorsement coverage in greater detail.

A motion was made by Rob Tucker, second by Henry Glaneman, to approve the EMC Endorsement for Cyber Solutions Coverage as presented at a cost of \$1,664.00.

A roll call vote was taken:

Yes: Rob Tucker, Chrissie Cole, Emily Telego, Henry Glaneman, John Seiler, and Chris Labee.

No: Paul Chenevert, Tom Lumsden, and Jim Barner.

Motion carried.

Mr. Labee thanked Mr. Simonin for his time tonight.

Mr. Simonin explained he will speak with the Board at the end of June for the annual commercial insurance renewal and he will continue to look at the marketplace for something better. If something better is out there in the future, he will make sure to inform the Board. If anything changes, the Authority can always cancel this endorsement coverage and get a pro-rated refund.

PETERS CREEK SANITARY AUTHORITY
Regular Meeting March 25, 2024

*Mr. Tucker noted a suggestion for the staff. He stated that Mr. Simonin made a point that we are classified as a utility and not as an authority and thought it would be a good idea to call PA Municipal Authorities Association (PMAA) because they have hundreds of municipal authorities. He is sure we are not the only authority running into this issue.

Mrs. Cole stated, in her opinion, this issue is not going anywhere, it will most likely only get worse. **To be retained on Agenda under Old Business.**

BID OPENING: Contract No. 24-S1 Interceptor Manhole Rehabilitation Project:

Mr. Labee turned the floor over to Mr. Fritz of LSSE to open the bid packets.

Mr. Fritz reported he will now open bids for the Peters Creek Sanitary Authority’s Contract No. 24-S1, the Interceptor Manhole Rehabilitation Project. Bids were received until 4 pm today, March 25, 2024. The time of this bid opening is 6:45 pm. The first and only bid was received from Jet Jack, Inc. in Oakdale, PA.

Contractor	Base Bid Amount (as read)	Bid Bond
Jet Jack, Inc.	\$646,500.00	10% Bid Bond Arch Insurance

Mr. Labee asked for the engineer estimate for this project.

Mr. Fritz replied the engineer’s estimate was \$550,000.

Mr. Barner asked for a summary of the Scope of Work (SOW).

Mr. Fritz replied the SOW includes 30 manhole repairs, 13,500 LF of CCTV of the 24” Interceptor, another 2,500 LF CCTV & CIPP lining of miscellaneous 8” existing sanitary sewers within Union Township.

Mr. Kovach added they will need to perform bypassing on the Interceptor Line.

Mr. Fritz stated that is correct, they will need to bypass every segment of the Interceptor to complete the CCTV due to the sizable flows within the Interceptor Line.

Mrs. Gosliak pointed out there are eight companies on the bid sheet who requested the bid information, but only one of them submitted a bid. Mrs. Gosliak added it is known that this will be a difficult job to complete.

Mr. Fritz agreed and stated that access is as difficult as it can be near the now demolished Snee Road Bridge. There are seven stream crossings necessary to do this work near the Snee Road Bridge and an additional 5 stream crossings necessary above that bridge area.

Mrs. Gosliak explained in her experience we usually see on average four to five companies who will request the bid package. So, for us to get eight companies requesting the bid package is a lot. Mr. Fritz added that PCSA has already received an LSA Grant for this project in the amount of \$202,375.

Mr. Barner asked if it would be possible to split this project into one for the manhole repair and one for the CCTV and CIPP being that some of these companies would do one or the other.

Mr. Fritz explained the access to this area is what makes this work tricky. If you are going back to do one or the other in this area, you will have to build those stream crossings, which are quite sizeable. There are stream crossings above Snee Road as well so it’s the same rationale.

Mrs. Gosliak added, based on experience, we have worked with Jet Jack on quite a few jobs over the last 20 years and they have come in as low bidder lots of times. That makes a point that we can assume Jet Jack is reasonably priced.

Mr. Kovach added that Jet Jack can do all of the work as outlined in the SOW; whereas some companies are not equipped for the CCTV, CIPP lining, and raising the manholes.

Mrs. Gosliak stated something that is priceless for the Authority is being able to work smoothly with a contractor. For example, everyone has seen how it was to work with the contractor on the Bower Hill Road SLE. The amount of energy that was necessary from PCSA staff, LSSE, and even the Solicitor to hold their hand every step of the way and to request things two and three times over. In Mrs. Gosliak’s

PETERS CREEK SANITARY AUTHORITY
Regular Meeting March 25, 2024

33

opinion, the time savings involved working with a company such as Jet Jack will save more money in the long run rather than re-bidding this project in hopes of a lesser price. In fact, experience has proven when we have re-bid a project, the price seem to be even higher.

Mr. Kovach stated this bid price is less than \$100,000 over the engineer's estimate. The Authority has a grant of \$202,375 back in 2022.

Mr. Barner stated then we have that grant money reserved for this project.

Mrs. Gosliak explained as soon as we spend at least \$202,375 on this project, we can request the grant funds to be sent to PCSA.

Mr. Labee asked if that grant would be void in a certain amount of time.

Mrs. Gosliak stated yes, I believe we have a three-year period. There is also a process to request an extension. Luckily, we have never needed to request an extension for a grant that has been awarded to PCSA.

Mr. Labee asked for Mr. Fritz's opinion.

Mr. Fritz explained he does not anticipate the bids getting any lower if we did a re-bid. And, Jet Jack is able to handle the whole project.

The Board discussed this in greater detail.

Mr. Seiler asked where this project starts.

Mr. Fritz explained this project starts at Ringgold Middle School and goes all the way down to the Washington County Line.

Mr. Labee confirmed, as a matter of protocol, if we receive only one bid, we can accept that as the lowest bid.

Mr. Fritz replied, yes we can.

Mr. Tucker asked if there were any exceptions or clarifications requested from the bidders, was it a clean bid?

Mr. Fritz replied, there were no requests for information for this project. The bid is to be completed in 120 days from the Notice to Proceed.

Mr. Tucker would recommend tabling this so that the Engineer and staff can evaluate this bid fully.

Mr. Fritz explained the Board can award this bid contingent upon LSSE review.

Mrs. Gosliak added that is our normal protocol.

Mr. Barner asked about the work PCSA was planning to do in that same area around Snee Road as far as clearing brush out the Right-of-Ways (ROW). Mr. Barner is wondering if that work will be done by the contractor in order to do this project which could be a money saver for PCSA.

Mr. Fritz explained there are existing quad paths that are accessible. The other thing that makes this bid a little different is they are only able to use "light track" equipment, which is part of the E & S approvals. Generally speaking, there is not a lot of ROW clearing work that would be needed for this project.

Mr. Labee added this price is \$96,500 higher than the engineer's estimate, which is over by 17½%. In Mr. Labee's experience, if the amount is greater than 15% of the estimate, a justification needs to be written as to why this amount is okay.

Mr. Kovach added that with the grant PCSA has been awarded, the cost of this project would be \$439,125. He confirmed the grant for this project is \$207,375.

Mr. Labee asked if there is a motion to accept the bid, table the bid and rebid, etc.

A motion was made by John Seiler, second by Tom Lumsden, to accept the bid from Jet Jack, Inc. in the amount of \$646,500.00 contingent upon the Engineer's review and approval. Motion carried unanimously.

BOARD MEMBER COMMENTS:

Rober Tucker:

- 1) "Appointed by" versus "Represents": Mr. Tucker explained he was appointed to the PCSA Board by Peters Township; however, listed on the PCSA website it states that Mr. Tucker represents Peters Township. In Mr. Tucker's opinion, he does not represent Peters Township while he is on the PCSA Board. Instead, he represents all of the customers in the PCSA service area.

Mr. Labee commented that is a fair observation.

**PETERS CREEK SANITARY AUTHORITY
Regular Meeting March 25, 2024**

Mrs. Gosliak displayed the PCSA website on the overhead to clarify Mr. Tucker's request and stated she will be happy to update the website to read "appointed by."

- 2) Nottingham Heights Development (Lutes Road): Mr. Tucker reported he had two reasons for voting against this development. One, the staff he could tell was not very excited about this and he wanted to fully understand that and he did not at the meeting. Two, Mr. Tucker is not sure this should have been rushed through. Sometimes the Board tries to help somebody, but as the PCSA Board, we could wait to get all of the facts.

Mr. Labee replied, fair point.

APPROVAL OF FEBRUARY 26, 2024 REGULAR MEETING MINUTES:

Mr. Labee requested a motion to approve the February 26, 2024 Regular Meeting Minutes.

A motion so moved by Tom Lumsden, second by Rob Tucker, to approve the February 26, 2024 Regular Meeting minutes. Mr. Barner abstained because he was not in attendance at the February 26, 2024 meeting. Motion carried.

TOTAL BILLS FOR APPROVAL:

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

A motion so moved by Tom Lumsden, second by Rob Tucker, to approve the total bills for \$206,777.78. 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. Chapter 94 Wasteload Management Report: LSSE prepared the Chapter 94 Wasteload Management Report for 2023 Operating Year. Report issued to CMA/KLH by letter dated March 18, 2024.

2. Developments:
 - 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. PCSA and LSSE received request for partial maintenance bond reduction via letter dated February 15, 2024. Partial maintenance bond reduction recommendation issued to PCSA by letter dated March 11, 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

PETERS CREEK SANITARY AUTHORITY
Regular Meeting March 25, 2024

35

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. LSSE performed preliminary field walkthrough of the project site with the Developer's engineer on February 23, 2024. Revised As-Built drawings received from Developer on February 26, 2024, comments issued to Developer's engineer.

Mineral Beach Development: Approved construction drawings distributed by letter dated April 18, 2022. LSSE reviewed revised construction cost estimates and issued recommendation regarding performance and labor bond amount to PCSA by letter dated April 15, 2022. Awaiting submission of bonding and remaining material data sheets from Developer. Developer advised via email dated May 25, 2022 that the project is on hold due to increases in material costs. Per Board's direction at the June meeting, a letter was issued to Developer July 20, 2022 regarding an update to the use of PVC piping in lieu of ductile iron piping in fill areas. LSSE coordinating with Developer regarding updated schedule. Development is currently on hold due to high equipment and material costs. As requested by PCSA, LSSE issued letter dated February 20, 2023 to Developer regarding current status of the project and the material substitution request (PVC piping in lieu of ductile iron piping in fill areas). Material substitution discussed with Board at February's meeting. Board elected to extend approval of substitution request, LSSE issued letter dated March 15, 2023 to Developer indicating same. PCSA and LSSE held meeting with Developer on August 9, 2023 to discuss remaining administrative items required prior to approval to start construction. Additional material data sheets submitted and reviewed by letter dated September 14, 2023. Additional material data sheets submitted and reviewed by letters dated October 4 and October 16, 2023. PCSA, LSSE and Developer met on March 19, 2024 to discuss status of the development and any outstanding PCSA items required prior to Notice to Proceed.

Mr. Fritz reported that PCSA and LSSE met with the Developer last week to discuss the status of this development. There were two noteworthy things as a result of that call. The Developer has committed to paying all outstanding invoices by the end of the month and PCSA is still waiting for Union Township's approval.

Mr. Labee requested Mr. Fritz to refresh the Board's memory regarding the holdup.

Mr. Fritz explained a large part of the holdup is in regard to Walter Long Road in the proposed development tying their proposed roadway. A portion of it is privately owned by the Walter Long Manufacturing Company the lower portion is still owned by the government. Union Township ultimately needs to own both portions of the road and that is where negotiations and agreements are currently. The Developer is negotiating with Walter Long Manufacturing and Union Township is discussing acquisition through Governor Reschenthaler's office.

Mr. Seiler clarified Union Township already owns the Nike Site. Union Township's Chairperson set up a meeting with state and federal representatives and they are working on that. Mr. Seiler explained there is still a Mandamus Order against Union Township from this Developer. The Developer's engineer resubmitted new plans for review by the planning committee. This Developer also has delinquent bills they owe to the township.

Mr. Labee asked Mr. Fritz if we are heading down a path to issue a Notice to Proceed?

Mr. Fritz replied, not until we have Union Township's approvals and all of the outstanding PCSA items required.

PETERS CREEK SANITARY AUTHORITY
Regular Meeting March 25, 2024

The Board discussed this development in greater detail.

Castlewood Fields – Phase 2A: Development consists of 25 EDUs (25 single-family homes), approximately 450 LF of proposed sanitary sewer and one connection point to existing sanitary sewer constructed during Phase 1 of the subject development. Escrow and fully executed Developer’s Agreement received by PCSA. Construction Drawings received from Developer by email dated February 26, 2024, currently under review.

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 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 Board 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. PCSA issued letters dated March 15, 2024 to the member municipalities (Finleyville, Union, Peters, Nottingham) to revise the defined PCSA service area, currently waiting for response from each.

Mr. Seiler explained this topic is on the agenda for Union Township’s next Board Meeting.

Eco Express Carwash: Development consists of a proposed carwash facility located along Route 88 in Union Township. Developer’s engineer, PCSA and LSSE have been coordinating regarding sanitary sewer requirements. Recording Plan for subdivision received by PCSA on December 20, 2023, review pending submission and approval of planning module for the development. Industrial User Survey Application received from CMA and the Developer will be required to complete and submit to CMA during the planning module stage. Industrial User Survey Application sent to Developer’s engineer on February 21, 2024. Planning module received from Developer’s engineer on March 8, 2024, currently under review. Preliminary construction drawings received from Developer’s engineer on March 14, 2024, currently under review.

Trax Farms Plan No. 3: Proposed subdivision of two (2) existing lots into four (4) proposed lots along State Route 88 in Union Township. Two (2) lots are proposed as non-buildable. Recording Plan received from surveyor on February 29, 2024. Revised Recording Plan received from surveyor on March 18, 2024. PCSA is currently waiting for Request for Planning Waiver and Non-Building Declaration to be issued to the Pa DEP prior to execution of the subject Recording Plan.

Castlewood Plan of Lots – Lots 154 A-E: Proposed lot line relocation between five (5) existing lots at the intersection of Dana Drive and Olivia Drive in Nottingham Township. Recording Plan received from surveyor on February 16, 2024. Recommendation of recording plan signature was issued to PCSA by letter dated March 11, 2024.

Trax Farms Plan No. 4: Proposed subdivision of one (1) existing lot into three (3) proposed lots along Turkeyfoot Road and Sugar Camp Road in Peters Township. Two (2) lots are proposed as non-buildable. Recording Plan received from surveyor on March 15, 2024. PCSA is currently waiting for Request for Planning Waiver & Non-Building Declaration to be issued to the Pa DEP prior to execution of the subject Recording Plan.

3. 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 was completed week of March 27, 2023. Wetland delineation required for PaDEP 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 on June 27, 2023, pending comments/approval. Comments received from the Washington County Conservation District (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 by 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 by 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. Contract Document and Technical Specifications issued to PCSA by letter dated March 4, 2024. Bids were opened at the March meeting earlier tonight, seven vendors requested bidding documents. **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: Update Act 537 Plan Report to address Bankson comments.
Updates completed, resubmission pending response from Union Township/Bankson on Item ii.1. below. Revised Act 537 Plan Report issued to Union Township by letter dated January 15, 2024. Response letter to Bankson 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). Resolution for Act 537 was prepared by LSSE and issued to Union Township for execution by letter dated February 27, 2024. South Park Capacity Availability and Public Comment Response issued to Union Township by letters dated March 12, 2024. Act 537 issued to Washington County Planning Commission by letter dated March 18, 2024.
 - ii. Issue capacity availability request letters to South Park (PCI), Jefferson Hills (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. Capacity availability received from South Park on February 23, 2024
 - iii. Initiate dialogue with property owners near lift station.

**PETERS CREEK SANITARY AUTHORITY
Regular Meeting March 25, 2024**

- 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 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 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.
 - e. Amendment to the Memorandum of Understanding (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 March Board Meeting.
 - g. Updated schedule included in the February Board Meeting packets.

Mr. Fritz reported that Union Township approved the Resolution for the update to the Act 537 Plan. The availability approval letters were received from South Park Township, Jefferson Hills, and CMA. Letters were issued to both Union Township and Washington County Planning Commission. Once approvals are received from both planning commissions, the Act 537 Plan update will be issued to Pa DEP for final approval. LSSE is currently preparing Part II Permits for submission. **To be retained on agenda.**

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 Closed-Circuit Television (CCTV) information provided and developed a conceptual schematic Scope of Work (SOA) and Opinion of Probable Cost (OPC). SOA approved by Board at February 2023 meeting. Survey and drawing preparation SOA have been initiated and are in progress.

- a. Construction drawings are completed, specifications have been drafted and permit documents have been drafted. Erosion & Sedimentation Control Plan issued to Washington County on 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. LSSE provided

response on February 1, 2024 to comments received from WCCD. WCCD advised LSSE via email dated March 6, 2024 that Erosion & Sedimentation Control Plans are to be revised and resubmitted for formal WCCD “stamping” / approval.

- b. Board authorized LSSE to bid contract at the July 2023 meeting. Bid opening is scheduled for April meeting.

Mr. Fritz verified that the bid opening is scheduled for the April Regular Board Meeting. The project is estimated to cost approximately \$550,000. As a reminder, this project encompasses 2,250 LF of existing 6” sewer to be replaced with 8” PVC sewer. **To be retained on agenda.**

South Park Mobile Estates 2024 Flow Monitoring: As requested by PCSA, the Scope of Work (SOA) was prepared for the March meeting to perform flow monitoring for a period of three (3) to six (6) months for the collection line attributable to the South Park Mobile Estates (SPME). Sanitary sewer flows and water consumption is to be compared to determine the amount of infiltration/inflow entering the PCSA system from the South Park Mobile Estates.

Mr. Fritz reported that an SOA was prepared for the Board’s review as requested by PCSA to flow monitor the SPME for a period of three to six months as determined by the Authority.

Mr. Barner asked if the flow monitoring will be done to determine whether or not PCSA will accept the flow from SPME.

Mr. Fritz replied, in his opinion, it is to determine the current condition of the existing sewers, specifically looking for excessive amounts of Inflow/Infiltration (I/I).

Mr. Labee asked Mr. Binotto if he planned to discuss this topic during his Solicitor’s Report as well, and the response was yes.

Mr. Binotto explained there is not much different he has to report other than to say he has sent a letter to South Park Mobile Estates.

Mr. Barner had questions regarding how SPME billing and sewer lines are set up with PCSA.

Mr. Kovach gave a detailed history of this customer and the agreement made with them back in the 1970s.

The Board discussed the topic of flow monitoring and the expense involved in greater detail.

Mrs. Cole asked Mr. Fritz to explain why the expense is so high regarding this SOA.

Mr. Fritz explained the cost is \$10,900 for three months or \$16,900 for six months. This involves two personnel, because of the confined space requirements, going to PCSA every other week to download the data, personnel in the LSSE office for 2 hours per time to QAQC the data.

Mrs. Cole asked if there is any wiggle room in that price.

Mr. Fritz stated he certainly is not authorized to set the pricing.

Mr. Binotto reported there is a letter dated March 13, 2024 in the Board Meeting packets. In April of 1994 what happened with SPME is that they conveyed to the Authority the entire sewage system. Then, contemporaneously, the Authority turned around and leased back to them the system. The agreement we have with SPME states they have to perform maintenance on the system and all laterals according to PCSA Specifications. If they do not, PCSA has a right to fix what needs fixed and bill SPME for the cost. In addition, the March 13, 2024 letter is quoting from that agreement, basically saying PCSA is putting this flow meter on the sewer line and we are going to measure the I/I for three to six months at their expense. They will have to pay for the metering and for our expenses. Once that is done, a report will be issued to SPME as to what is required to be done. If they do not fix it, PCSA can get the required work done and bill SPME. Mr. Binotto explained this is the first step. We have to notify SPME of the flow monitoring and then we have to give SPME notice if any repairs are needed. If they do not comply, then we will have to address that.

Mr. Kovach reminded everyone that SPME has the option to run public water meters to each resident in the park.

Mr. Labee summarized the first step is the recommendation from the engineers to do the flow metering.

Mr. Labee asked if we agreed to spend the money on the flow metering.

Mrs. Cole requested an itemized list of the costs involved in the SOA that is being presented.

**PETERS CREEK SANITARY AUTHORITY
Regular Meeting March 25, 2024**

Mr. Fritz replied yes.

Mrs. Gosliak clarified that Mr. Binotto's letter informed SPME they will be billed for the cost of this flow monitoring program. Mr. Binotto confirmed that information was in the letter.

The Board discussed this in greater detail.

A motion was made by Tom Lumsden, second by Jim Barner, to approve the Service Order Authorization as presented.

Mr. Tucker suggested approving the SOA, but not to exceed \$16,900.

A motion was amended by Tom Lumsden, second amended by Jim Barner, to approve the Service Order Authorization (SOA) as presented not to exceed \$16,900. Motion carried unanimously.

Mr. Labee asked Mr. Fritz to provide the Board with a better detail of the expenses involved in this SOA. Mr. Glaneman asked for this information before the next Board Meeting.

*Subsequent to the meeting and as requested, Mr. Fritz provided details of the expenses involved to Mr. Kovach and he emailed this SOA to all Board Members on March 28, 2024.

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. **To be retained on agenda.**
2. Hidden Hollow Sanitary Sewer Replacement Project: LSSE reports the bid opening for this project is in April 2024. LSSE will provide PCSA with the project ad for Mrs. Gosliak to advertise this project in the Observer Reporter. As previously reported, Greg Costa owns a parcel in that area and is required to install new laterals for the twelve existing units once the sewer line extension is constructed. Also, Mr. Costa was to present his building proposed additions to Union Township. **To be retained on agenda.**
3. Snee Road Bridge & PCSA Interceptor Beyond: The Snee Road Bridge is still out over Peters Creek. I plan on discussing this issue with the PCSA Solicitor before the April Board Meeting. **To be retained on agenda.**
4. Mineral Beach Plan: On March 11, 2024, Mr. Kevin Braun requested a phone meeting with PCSA providing available dates. In his email, Mr. Braun reported that he would like to clean up what he called "sins of the past." A March 19, 2024 date worked for all three of us and Mr. Fritz and Mr. Kovach were in a conference call with Mr. Braun to discuss outstanding issues with his plan.

Mr. Braun was informed of the PCSA outstanding issues including the outstanding invoices. Mr. Braun reported he would have those paid by the end of March. Also, PCSA/LSSE requested that his engineer send the PCSA Approved Construction Plan and Subdivision Plan to LSSE/PCSA for review. Mr. Fritz already informed Mr. Braun that three changes were required on the Subdivision Plan before he proceeded to obtain signatures. There are several other outstanding items due including a letter required from Union Township or an email from Bankson Engineers to report that Union Township is satisfied that all of their requirements were met.

5. Weber Properties LLC Subdivision Plan No. 1 -- Off of Route 88: The Developer will be required to do planning and sign a Developer's Agreement. There is a Planning Module being submitted specifically to subdivide the lot on Route 88 next to Tractor Supply into two lots for

financing and install a small sewer line extension. The Developer and engineer do understand that additional planning and a new Developer's Agreement may be required once it is determined what commercial property will go in the subdivided lot. Since the engineer wants to proceed this way, a conference call was scheduled March 22, 2024 between Ms. Grimm, Mr. Fritz, and Mr. Kovach to request that additional language be added to this Developer's Agreement to obligate the Developer that additional information may be required. Also, further planning and another Developer's Agreement will be required once it is determined when and where the rest of the property off of Route 88 will be subdivided. If additional Route 88 property does develop, then additional planning and another sewer line extension will be required.

SOLICITOR REPORT:

Mr. Binotto reported on the following:

1. South Park Mobile Estates (SPME): PCSA Request to Review Requirements: Mr. Binotto reported there is a copy of the March 13, 2024 letter he sent to SPME.

Mr. Binotto explained the lease agreement between the Authority and SPME is very comprehensive. If SPME is in breach, the Authority has full power to remedy and for SPME to make corrections. Mr. Binotto will review the agreement again to ensure PCSA is consistent with the agreement. **To be retained on agenda.**

2. 6129 State Route 88 Non-Compliance – Justin & Alvin Cox, Seneca Leandro View LLC:

Mr. Binotto explained there is a copy of the March 6, 2024 letter he sent regarding this property. Mr. Binotto met with Mr. Kovach and Mr. Fritz and it was decided the way to proceed was to send both parties a letter indicating that PCSA was not taking sides and they are required to have two separate laterals. In addition, we notified Union Township and requested they do not issue any occupancy permits for either dwelling until there are two separate laterals in place. And, the water company was notified as well. In essence, we have notified both property owners they need to correct the laterals; otherwise, they will not be able to move forward. As of today, we have not had a response from either property owner.

Mr. Kovach added that Mr. Cox wanted to be able to cut off the lateral to the front house and he was informed by the Solicitor that could not be done. **To be retained on agenda.**

3. 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.

Mr. Binotto reported an update stating that all of the member municipalities except for Peters Township approved the resolution to increase the PCSA Board Member attendance fee. Mr. Binotto had a conversation with Mr. Lauer and one of his Board Member's concerns was that historically, they recalled a provision in the township code that states you cannot change Board Member salaries midterm. If you were to make a change, it can only be effective for the new term, but not effective for the existing term. Mr. Binotto pulled the research his office did and it states in order to increase Board Member attendance fees, it must be approved by the appointing member municipalities. There is also a line in that case where a municipal authority appointed officers in order to get around the restriction, and the ethics board said there is nothing wrong with appointing officers and designating their salaries. But, they made a comment that you cannot change the compensation of a Board Member that is not an officer until their term expires. Mr. Binotto stated he does not find any similar provision in the Municipal Authorities Act. Mr. Binotto is asking for time to take a closer look at this and can update the Board at the next meeting. In addition, Mr.

**PETERS CREEK SANITARY AUTHORITY
Regular Meeting March 25, 2024**

Binotto wants to write a letter to the PA Ethics Committee to ask if they have any problem with increasing the fees if every appointing municipality approves it. In Mr. Binotto's opinion, that would be the way to go. Mr. Binotto will provide the Board with an update either before or at the next board meeting.

Mr. Chenevert stated if it were helpful, the three representatives currently appointed by Peters Township could say we do not mind waiting until our tenure expires and gets renewed. That way the Authority will not have to pay for any further legal research and everyone else can have their attendance fee increased immediately. Mr. Chenevert would not mind doing that.

Mr. Binotto explained the objection is broader than that. The objection is for any seated Board Member, not just Peters Township. Mr. Binotto will review the Act one more time to clarify. He does not see a reference to the compensation that sights the language Mr. Lauer is speaking of. Mr. Binotto stated he will not spend a lot of time on this issue in order to keep the costs down. Mr. Binotto would not recommend going forward unless all of the member municipalities agree on this issue.

Mr. Labee added that Mr. Lauer called him and explained basically the same information that Mr. Binotto just reported. Mr. Labee explained, in his opinion, it is worth Mr. Binotto researching and getting the correct answer because this issue will come up again in the future.

Mr. Tucker explained that in Section 56.10 paragraph (d) of the Municipal Authorities Act, which he printed off of the State website last year, reads: "no salaries shall be increased or diminished by a governing body, during the term for which the member shall have been appointed".

Mr. Binotto stated the question is if that provision applies to the appointing municipality agreeing to change it, because the intent of that is so you cannot play games as an authority. **To be retained on agenda.**

4. 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. This topic will remain on the agenda for future discussion. **To be retained on agenda.**

5. Nottingham Heights Scarmazzi Development of Lutes Road – Revision to PCSA Service Area:

Mr. Binotto reported that he, Mr. Kovach, and Mr. Fritz met and prepared a letter to the PCSA member municipalities explaining the request to expand the service area to include the small portion of this development. Assuming we get approvals from all four of the member municipalities, then Mr. Binotto will draft a letter to the downstream entities asking them to approve as well. The first step in this process is underway.

Mr. Kovach added that he had a conversation with Mr. King from Nottingham Township regarding this request. Mr. Kovach explained that PCSA is supportive of this request because 75% of this development is already in the service area and it will be gravity flow. Mr. Binotto reiterated this is not precedential because of two factors, one is that 75% of the property is in the service area and two is this system will be entirely gravity flow as per PCSA specs.

6. Froebe Farms Plan:

Mr. Binotto reported that he received a phone call from Mr. Montgomery, the solicitor for the Froebe Farms Development. He wanted to know if the Authority's position had changed in regard to the pump station. It appears the project is controversial because it is very high density, it is a quarter acre. It was noted in the meeting at Peters Township that Peters Creek Sanitary Authority did not approve this development as it was designed. Mr. Binotto stated he informed Mr. Montgomery the position of PCSA has not changed, PCSA is a gravity flow system, and if that were an impossibility, he would have to come to the Board to plead his case. Mr. Binotto asked what the status was of negotiating a Right-of-Way (ROW) with the golf course and he replied, the owner of the golf course does not seem to be interested in giving them any type of ROW. Mr.

Binotto reiterated that PCSA is strongly opposed to a non-gravity system and Froebe Farms currently has an agreement with PCSA for a gravity flow system.

Mr. Labee added that he believes Peters Township was voting on this subject tonight and they do not think it will pass. There are three different plans out there. In addition, Mr. Labee added there is a tree on the property that is reported to be 350 years old which is the third oldest tree in Washington County. Mr. Labee reported his conversation with Mr. Lauer. Mr. Lauer found it difficult to understand if that property was already zoned as a conservation district, he could not understand how homes could be built on it.

Mr. Kovach added that the Board directed him to write a letter, which he did in January, explaining to the Developer they still owe delinquent bills to PCSA of over \$10,000 and that PCSA could not work on this project until those invoices are paid. Mr. Kovach explained he has not had a response to that letter.

Mr. Binotto stated Mr. Montgomery did mention this is a conservation district and ¼ acre lots are permitted in a conservation district.

Mr. Kovach asked if they do not pay the outstanding invoices, is it true that PCSA will not work any further on this development.

Mr. Labee replied, yes. PCSA and its consultants should not spend much effort on this until the delinquency is settled. **To be retained on agenda.**

AUTHORITY MANAGER REPORT:

Written report submitted.

Mr. Kovach reported on the following:

1. 2024 Washington County Local Share Account (LSA) Program: Mr. Kovach kept this in his report and provided an update to review the project and grant requested. 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.

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. This is the first time in the history of PCSA that the full amount of requested LSA grant funds was recommended to the Washington County Commissioners for Pa DCED final approval.

*As an update, PCSA received a February 27, 2024 letter from the Washington County (WC) Commissioners approving the PCSA project and recommending the project to PA DCED for the full funding amount of \$758,000 (included). Mrs. Gosliak prepared and mailed a March 5, 2024 thank you letter to the WC Commissioners for supporting the requested project (included). The WC Commissioners' approval brings this project one step closer to actually receiving this LSA Grant.

**PETERS CREEK SANITARY AUTHORITY
Regular Meeting March 25, 2024**

2. Local Share Account (LSA) Statewide Grant: Union Township and PCSA both requested a LSA Statewide Grant for the Finleyville-Elrama Road Sewer Line Extension project. LSSE for PCSA requested funding on November 30, 2023 to the Pa DCED. The total amount listed for the PCSA grant portion is \$1,046,155. The PCSA Statewide Grant portion PCSA request was for \$909,700 with a funding commitment of \$136,455. A March 5, 2024 email was received from Heather Brosius, Pa DCED Analyst requesting a few more follow up details of information which was provided to her on March 18, 2024 before her March 20, 2024 request date. **To be retained on agenda.**
3. Commercial Insurance – Cyber & Technology Errors and Omissions Policy: Mr. Kovach kept this on his report to provide an update. Mr. Simonin made his presentation earlier tonight under Public on the Agenda.

Mr. Kovach provided some background information to this request which coincides with the Outside the Box I.T. work approved. As previously reported, 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.

Discussion with Mr. Cole and Mr. Simonin led to informing Mr. Kovach that the needed firewall and the Cyber Policy go hand-in-hand for protection and coverage and more businesses are obtaining this policy coverage. Even though there is no guarantee that fraudulent activity cannot occur on the PCSA system, both items discussed (firewall and cyber insurance coverage) will help negate cyber fraudulent activity.

Thus, Outside the Box I.T. and PCSA provided Mr. Simonin with a Cyber and Technology Errors and Omissions Policy Application for Mr. Simonin to provide a quote to add the Cyber and Technology Errors & Omissions Policy to the PCSA Commercial Insurance Policy. However, Coalition, the Cyber Technology Errors and Omissions Policy provider, requested additional information be provided to quote this coverage.

*As an update, Mr. Cole installed the firewall to the PCSA software system on March 11, 2024. Also, Mr. Cole installed a new modem to update the system

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 was both in person and virtual. The in-person training for the West occurred March 14, 2024, Thursday at the Doubletree by Hilton, 910 Sheraton Drive, Mars, Pa. Mr. Tucker, Mrs. Gosliak and Mr. Kovach attended in person. Many of the various topics discussed during training were beneficial.

Mrs. Gosliak added there was something she learned in this training regarding a conflict of interest. Mrs. Gosliak explained she spoke to the Executive Director of the Pennsylvania State Ethics Commission who presented this topic at the training, her name is Mary Fox. Ms. Fox

directed my attention to the State Ethics Act, Restricted Activities, Section 11:03 (j). It reads as follows: "Where voting conflicts are not otherwise addressed by the Constitution of Pennsylvania or by any law, rule, regulation, order or ordinance, the following procedure shall be employed. Any public official or public employee, who in the discharge of his official duties, would be required to vote on a matter that would result in a conflict of interest shall abstain from voting and, prior to the vote being taken, publicly announce and disclose the nature of his interest as a public record in a written memorandum filed with the person responsible for recording the minutes of the meeting at which the vote is taken".... During my discussion, Ms. Fox stated that since PCSA's minutes are very detailed this is not as much of an issue because the minutes are clear when someone abstains. However, Mrs. Gosliak would like to ensure that PCSA is continuously in compliance as required. Mrs. Gosliak explained our normal procedure has been for a Board Member to abstain during a motion, but not necessarily explain why they are abstaining. However, if it is something that is not related to a conflict of interest, then our process is in compliance. Therefore, if you abstain for reasons other than a conflict of interest, there is no reason to state your reason for abstaining. Mrs. Gosliak wants to begin a process to comply with this requirement when a Board Member needs to abstain for a conflict of interest.

Mr. Chenevert added this applies to the discussion we had last month regarding Certificate of Deposit (CD) laddering. Mr. Chenevert stated he thinks CD laddering is great; however, he did not agree with it not being local.

Mr. Tucker explained that Mr. Barner abstained from approving the minutes of last month because he was not at the meeting, not because it was a conflict of interest. Therefore, he would not be required to fill out a memo.

Mrs. Gosliak replied, you are exactly right.

Mr. Tucker added if you are running a sewer line across my property and I may benefit personally, then I may abstain because of a conflict of interest.

Mr. Seiler added recently he abstained from a motion at Union Township to approve increasing the PCSA Board Member attendance fee because it would benefit him personally. Therefore, he wrote down why he abstained and gave it to the person who does the minutes at Union Township.

Mrs. Cole asked to clarify that the reason for abstaining for a conflict of interest must then be written down.

Mrs. Gosliak replied, yes. However, she was informed there is no timeline for the written memo explaining your abstention, which is interesting.

The Board discussed this topic in greater detail.

Mrs. Gosliak reiterated; you do not need to explain why you are abstaining if it is not related to a conflict of interest.

Mr. Seiler provided an example from the township. A supervisor's wife is also the tax collector for the township. Therefore, he submitted a written memo explaining anything that pertains to the tax collector he will abstain because of the conflict of interest. He was told he will not have to provide a written memo each time instead he wrote a memo stating he will abstain every time it relates to the tax collector and this is why.

Mrs. Gosliak summarized her discussion with Ms. Fox was 1) announce publicly prior to the vote that you have a voting conflict because of a conflict of interest 2) announce you will abstain from this vote and this is the reason 3) submit the written memo to the person doing the minutes.

Mr. Tucker added that Mary Fox from the Ethics Commission was the Director of the Ethics Commission and she was also the presenter at the training. **To be retained on agenda under Old Business.**

6. Sanitary Sewer Tap Review & Recap:

Taps sold 01/01/24 - 02/29/24 is (0) as attached to my report. As previously reported, 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:

**PETERS CREEK SANITARY AUTHORITY
Regular Meeting March 25, 2024**

- i. The tap number is a +/- number depending on Area Developer/Builder or residential purchase and/or Developer 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 a discussion with Mr. Paul Lauer regarding Froebe Farms and Board Member attendance fees.

FINANCIAL REPORT:

Mr. Labee asked the Board to review the financial report and requested a motion to approve the February 29, 2024 financial report.

Mr. Tucker had a question on the AR Aging Summary. It lists Mineral Beach Development with an amount of over \$10,000.

Mrs. Gosliak replied yes, they owe a delinquent balance of over \$10,000. If there is a negative number in that column, that means they provided an escrow deposit and they still have a credit balance.

A motion so moved by Rob Tucker, second by Tom Lumsden, to approve the February 29, 2024 financial report. Motion carried unanimously.

OLD BUSINESS:

1) Shelving Project for PCSA Records -- Before & After Pictures:

Mr. Kovach presented some before and after pictures of the work that was done downstairs. In addition to cleaning up all of the files, there was work done to the drywall where mold formed from a past leak. Mrs. Gosliak presented pictures on the overhead taken by Mr. Kovach. He explained cleaning up these files, maps, etc. has never been done before so this was a huge job. We started with the commercial shelving that was recommended by Mr. Lumsden from a company called Alpha Omega Shelving. We cleared everything out so that we could paint the walls, fix the drywall, install the shelving, then organize the files accordingly.

Mr. Barner stated the before-pictures looked like there were 43 boxes and after being cleanup up it looks like there are three boxes. He asked if they all went in the dumpster.

Mr. Kovach replied no. We have a lot of boxes that will need to be shredded; therefore, we are working with a company called Shred-it to get a price from them. The staff went through all of the boxes and sorted them according to a list we have from the records retention policy. Mr. Kovach reiterated these boxes were from the beginning of this Authority. When we moved to this building, we had to just put everything in the rooms downstairs. Some of the boxes we need to keep and others will need to be shredded. In fact, Mr. Lumsden is helping us by trying to secure better pricing than what we originally got because Mr. Lumsden is a current customer of Shred-it. Mr. Kovach stated we have made great progress, and it is looking very organized now.

2) PA Homeowner Assistance Fund (PAHAF) Reopening, help for customers with delinquent accounts:

Mrs. Gosliak quickly explained this program reopened on March 18, 2024 to help customers with not only delinquent sewage accounts. This program can help customers with delinquencies with their gas, electric, water and property taxes. Mrs. Gosliak provided in the board meeting packets this program information as well as an example letter that we sent out last time this program was in effect. Some of the PCSA customers were successful in getting funds from this program to pay their delinquent PCSA bill. In addition, a PCSA customer informed us that he was able to use this program to get his delinquent property taxes paid and it stopped a scheduled sheriff's sale on his house. This program helps with delinquencies due to COVID related issues, such as losing your

PETERS CREEK SANITARY AUTHORITY
Regular Meeting March 25, 2024

47

job, etc. If the customer can show that their delinquencies are related to COVID, they can benefit from this program.

NEW BUSINESS:

1) Union Township: LSSE as Conflict Engineer:

Mr. Fritz reported that Union Township and their engineer approached LSSE in the last month explaining there is an up-and-coming Pennsylvania American Water Company (PAWC) Project that Union Township has to review. Bankson Engineers, who is the township's engineer, is part of the design team for PAWC. Therefore, they asked if Union Township could use LSSE as their conflict engineer for this one project. As a courtesy to this Board, LSSE wanted to bring it to the Board's attention and make sure there are no objections.

Mr. Seiler explained this project in greater detail and stated this is located in Elrama.

Mr. Labee summarized that Union Township will use LSSE as a conflict engineer for this one-time project and there is no conflict of interest with PCSA.

THE CORRESPONDENCE WAS REVIEWED.

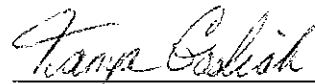
EXECUTIVE SESSION:

Mr. Labee reported there is no need for an executive session tonight.

ADJOURNMENT:

The Chairman adjourned the meeting at 8:17 p.m.

MINUTES PREPARED BY:



Tanya Gosliak, Assistant Authority Manager

APPROVED BY THE BOARD:



Thomas Lumsden, Secretary