

**TOWNSHIP OF LOWER MAKEFIELD
SEWER AUTHORITY
MARCH 25, 2010**

The regular meeting of the Lower Makefield Township Sewer Authority was held on Thursday, March 25, 2010 in the Lower Makefield Township Municipal Building. Mr. Gauck called the meeting to order at 8:00 p.m.

Those Present

Sewer Authority **R. Gauck**
 J. Shanks
 G. Davenport

Others **H. Hoffmeister, Sewer Administrator**
 E. Closser, Solicitor
 D. Farrell, Sewer Engineer
 G. Caiola, BOS Liaison

APPROVAL OF MINUTES OF JANUARY 28, 2010

Motion made by Mr. Shanks approving minutes as submitted. Motion seconded by Mr. Davenport and carried.

ENGINEER'S REPORT

A) Discuss and Accept 2009 Chapter 94 Report

Ms. Farrell explained this is the report that is prepared annually which format was started by CKS Engineers. The 2009 is based upon the one submitted by Gilmore for 2008. Ms. Farrell called the Authority's attention to page 4 and noted when they looked at the flow data for 2009, a lot of the flow has increased in the various lines. She also noted this was a very wet year. When looking at the flows into Yardley Borough and how it is calculated for coming back into the Township and going to Morrisville, they learned that the way the reports were provided in the past years, this flow was double counted in the total flow going to Morrisville. This has been removed in the 2009 report and footnoted in the table. The total flow appears lower, however that's because it is not double counted.

Ms. Farrell advised there is development going on within the Township. Matrix retail is almost finished and they will be looking for a certificate of occupancy shortly. The Brookshire and Triolo tracts were constructed (Orleans properties). Mr. Hoffmeister advised these systems are complete as far as construction goes. These are commonly known as Chanticleer and Brookshire. For the most part Chanticleer has been completed and has done all the homes off the Delaware Rim side which is the south side of the

property. There are still some homes on the north side off of Mt. Eyre Road that have not yet been completed. He doesn't know what the Township is going to do with this, noting the Township has not accepted any dedication. The developer has been requested to at least provide the Township with generator access for the pump station. Mr. Hoffmeister informed the Authority that they have not taken any acceptance of the pump station. It is to be maintained by a homeowners association for the developer for approximately 10 years, until a decision is made to shift it to the Kimbles pump station or to Morrisville. The most the Sewer Department has requested is that a connection be made so a generator can be placed there in the event the electricity goes out, which in this area happens on a fairly regular basis.

Mr. Gauck stated he would like the Authority members look at the 2009 Chapter 94 Report and suggested it be approved at the next meeting. Mr. Hoffmeister advised it has been sent to Bucks County, Morrisville and Yardley Boroughs, Falls Township as well as the State, noting that it has not been officially approved by the Sewer Authority but reflect the changes which are what goes to Morrisville which were double counted in the past which went to Yardley on the north end.

Mr. Davenport stated he would like to see a report of how much water is pumped into the Township per month against how much sewage is metered in the Township. This would help them determine how much infiltration there is. Mr. Hoffmeister stated that with the exception of River Road/Robinson Place, which they have attempted to meter, there has not been enough flow for a portable meter to read. The Township has agreed with Yardley to accept a 23,000 gallon per day constant, not only for that area but another area over on University Drive as well as a few homes on Sandy Run Road and Lincoln Avenue. The Township has accepted that this would be a 23,000 per day constant. The Township has attempted this year to meter the flow to Falls, but he needs to go into more detail on this with Ms. Farrell. Last month he thought they would be having a significant decrease in the gallons per day going through sewer vs what they were metering and paying Falls township in the unmetered areas. This however doesn't seem to be the case. It appears that if the Township went with the unmetered average flow they could actually be paying Falls Township more money. He and Ms. Farrell need to look at this further before a decision can be made on this. You would think the sewage flow would be less. However, with some of the infiltration/inflow, the Township might be better going with water consumption rather than unmetered flows based on the temporary meters. He noted the last three months have been very wet and last summer was also very wet. It might be to the Township's advantage to continue right now with the water consumption rather than what was going through the unmetered areas. Mr. Hoffmeister is not telling Falls at this point that the Township may change everything because Lower Makefield may not want to and needs to look at it. Falls did contact him to advise that for the week of February 16th through February 23rd the flows seemed to be very high through the Derbyshire meter. Mr. Hoffmeister noted during this period there were two major storms and a substantial amount of runoff. Several areas totaling approximately 1,300 feet have been lined. However there is probably three times that amount that has never been lined and is still clay pipe. Mr. Davenport suggested the Authority get a report showing how much water was pumped in January and February and how much sewage there was for

each month as well. Mr. Hoffmeister advised the metered flow on the "unmetered areas" was from April through October/November of 2009. A lot of this flow is greater than what the usage was. This is one of the reasons he and Ms. Farrell have to review the data to determine how to approach the issue. He reiterated that this area has clay pipes. Mr. Davenport noted that 60% of the pipes in the Township are plastic. It is the 40% of clay piping which are the problems. Mr. Hoffmeister agreed, but noted the areas going to Falls and Morrisville are the areas which have the clay pipes. To try and line this amount of pipes would cost a substantial amount of money (approximately \$20 million dollars) to try to reduce spikes and inflow.

B) Review BCWSA Lining Bids

Ms. Farrell advised she received this information this evening and just looked at the same. She and Mr. Hoffmeister had prior discussions about a certain section along the Buck Creek Trunk Line that recently is more of a priority than it was in the past. Mr. Hoffmeister advised this area is up behind the VFW which runs perpendicular and they now found an area which is parallel to the property. Instead of doing 450' they could be looking at 1,100 to 1,300'.

Mr. Hoffmeister advised the Authority he is not asking for any Sewer Authority approval for anything this evening, pending what he and Ms. Farrell, as well as Kelly Watson of the Sewer Department, look at. He also noted they have found other areas that could use lining which would extend it beyond the 450' he and Ms. Farrell discussed last year.

Mr. Gauck suggested at the next meeting they discuss the bids more specifically. By that point Mr. Hoffmeister will know what he wants to recommend. Mr. Gauck noted that Bucks County will select the apparent low bidder and the township will tag onto it.

SOLICITOR'S REPORT

A) Yardley Status

Mr. Closser spoke with Mr. Truelove about contacting the new solicitor in Yardley, which he has attempted to do.

Mr. Hoffmeister advised he has been contacted by Gilmore Associates to look at where Lower Makefield's meters are located. This is only the 4th time to take a look at where the meters are. He doesn't know what Gilmore wants to look at, but probably are upset about the amount of flow coming through Buck Creek, as is he. This is where the Township would like to dovetail with the County. Mr. Caiola questioned why the Gilmore Engineer who was previously the Lower Makefield Sewer Engineer wouldn't know where the meters are located. Mr. Hoffmeister advised this is a different individual who wants to meet with him and Ms. Farrell to see where the meters are. Mr. Caiola asked what their issue is. Mr. Hoffmeister responded he doesn't know yet. They also want to put in, as they did in the past, meters to measure Lower Makefield's flow. However in the past they had meters that were measuring Lower Makefield and Yardley's flow. This was done in 2004 and in 2006 Lower Makefield had their

calibrationist and their calibrationist do the meters and their calibrationist advised ours were correct. He doesn't know what is going on, except that as a new engineer they are trying to get a handle on things.

Mr. Closser advised Mr. Caiola that from a Supervisors standpoint he still sees a conflict. Mr. Gauck noted Gilmore is the environmental engineer for Lower Makefield and the Sewer Authority engineer for Yardley Borough and asked what the conflict is between the two positions. Mr. Caiola advised part of the reason that Birdsall is no longer the Environmental Engineer is because they didn't see the need to have another set of engineers because not a lot was happening with environmental. Since Gilmore was already the Sewer Engineer the Township gave them the environmental as well. However shortly thereafter they resigned. He asked Mr. Closser if he felt it was a conflict.

Mr. Closser stated he thinks it is a conflict because Gilmore is working for an entity the Township has a conflict with, but yet working for Lower Makefield in a different capacity. It is still the same firm.

Mr. Gauck stated that, as an engineer who works in this type of area all the time, he can see it as a perceived conflict, but as a real conflict the firm is going to assign a specific engineer to Yardley Borough sewer and assign a different engineer to Lower Makefield to represent their environmental concerns. The environmental concerns and review never delve into the Sewer Authority in Yardley Borough. This is environmental concerns for development. Mr. Hoffmeister noted that Gilmore is also the engineer for Matrix. Mr. Gauck felt the Supervisors need to be aware that it is a perception of conflict. Mr. Caiola stated he will find out what projects Gilmore is working on. He agreed that there wouldn't be a correlation between what they are doing from an environmental prospective and how it might impact their relationship with their sewer engineer. He will look at the projects to see if there is anything which may be problematic.

Mr. Hoffmeister agreed noting whatever Boucher and James may have said previously regarding what Lower Makefield may be responsible for, does Gilmore agree with or will they be looking at it on a different aspect.

Mr. Closser stated you can't represent one client and work for another where they are opposed on something. From an engineering standpoint it may be different if the issues are just qualitatively different, or there may not be any environmental work going on. It is however probably worth checking to make sure there isn't a problem there. Mr. Shanks stated that from a perception standpoint Gilmore is playing both sides. His position is they either work for Lower Makefield or work for Yardley. They made the decision to drop Lower Makefield, not the other way around.

Mr. Caiola stated he will speak to others in the community to get a sense if anything is amiss and will come back to the Authority with a report.

NEW BUSINESS

A) Approve Payment of 2010 PMAA Dues of \$150.00

This is an annual fee based on the fact that Lower Makefield Sewer Authority is a lease-back authority. If this was an operating authority the fee would be around \$250 per year. The fee includes representation at the Authority meeting as well as monthly publications. Mr. Hoffmeister noted the spring dinner meeting is scheduled for Plymouth Meeting. Motion made by Mr. Shanks approving payment of 2010 PMAA dues in the amount of \$150.00. Motion seconded by Mr. Davenport and carried.

OLD BUSINESS

A) Act 537 Special Update

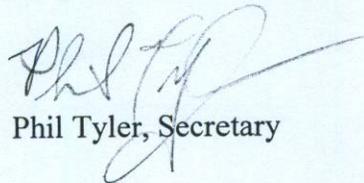
Ms. Farrell advised they worked with Steven Santarsiero and have been recommended for over \$300,000 in federal appropriations funding. It was noted this is the first time that they have even looked at it. Mr. Caiola noted that because Lower Makefield is considered an affluent community you aren't looked at like other communities are. Mr. Hoffmeister agreed noting that at the last meeting there was discussion about PennVest for Edgewood Village and they won't even consider Lower Makefield for funds. It was noted there have been numerous projects which Lower Makefield couldn't get any money for. Mr. Hoffmeister stated examples of this are the Heacock Road extension reversal as well as the trunk line project. Mr. Caiola asked if there is anything the Authority or he as an elected official can do to move this forward. He wants to make sure the Township puts whatever reasonable pressure they can with respect to this issue. Mr. Davenport suggested a letter be written expressing appreciation for movement on this. Ms. Farrell will look into this and let Mr. Caiola know.

B) PMAA Dinner Meeting

Mr. Hoffmeister reminded the members that the PMAA Spring meeting is scheduled for April 8th. Anyone interested in attending should contact Donna S. in the Township office.

There being no other business, motion was made by Mr. Shanks to adjourn. Seconded by Mr. Davenport and carried. The meeting adjourned at 8:38 p.m.

Respectfully submitted,



Phil Tyler, Secretary