

TOWNSHIP OF LOWER MAKEFIELD
MUNICIPAL SEWER AUTHORITY
MINUTES – MAY 24, 2018

The regular meeting of the Sewer Authority of the Township of Lower Makefield was held in the Municipal Building on May 24, 2018. Mr. Tyler called the meeting to order at 7:25 p.m. and called the Roll.

Those present:

Sewer Authority: Phil Tyler, Chairman
 Richard Gauck, Vice Chairman
 Scott Ferrante, Secretary
 Joseph Chirichella, Member
 Doug DeMuth, Member (joined meeting in progress)

Others: Greg Hucklebridge, Public Works Director
 (joined meeting in progress)
 Kelley Watson, Sewer Administrator
 Barbara Kirk, Township Solicitor
 Fred Ebert, Township Engineer

Absent: Daniel Grenier, Supervisor Liaison

APPROVAL OF MINUTES

Mr. Ferrante moved, Mr. Chirichella seconded and it was unanimously carried to approve the Minutes April 26, 2018 as written.

ENGINEER'S REPORT

Morrisville Municipal Authority Update

Mr. Ebert stated they received the MMA Minutes but they basically provided no information.

Morrisville Service Area Study – Committee Kick Off Meeting

Mr. Ebert stated they will be setting up the first Committee meeting, and he is setting up the background information and recommendations for steps which he will send out. He stated the meeting will probably be the middle to the end of June. Mr. Ebert stated he met with Mr. Grenier to discuss what information Mr. Grenier wanted to have to set up the Committee.

Act 537 Plan

Mr. Ebert stated this has been submitted to DEP, and he is waiting for their review. He stated DEP has reviewed and rejected Falls' Act 537 Plan. He stated everyone is getting extensive letters; however, he has received no feedback other than DEP indicated they received it and read it, and there was nothing that they saw at first glance that was a major issue.

Mr. DeMuth joined the meeting at this time, and introduced himself as the new member of the Sewer Authority.

Mr. Ebert stated there was a staff meeting with Mr. Watson and Mr. Hucklebridge which was very productive, and they are getting updated quotes for the necessary replacement impellers and pumps.

Grant for Stackhouse Pump Station

Mr. Ebert stated the Grant for the Stackhouse pump station is due July 17. He asked the members to reach out directly to any local politicians they know, and he can provide "talking points." He stated this is for the PA Small Projects Water and Sewer Grant for the relocation of the Stackhouse pump station. Mr. Ebert stated those not making political phone calls are not getting any money. Mr. Ebert asked that they contact anyone that they know as it goes before the House and the Senate.

Mr. Ebert stated the Township is still working on how to obtain the property through a friendly condemnation.

Heacock Road Force Main Bid Results and Recommendation

Mr. Ebert stated they received the Bids for the Heacock Road Force Main. He stated the engineer's estimate was \$309,000, and they received six Bids; and the apparent low Bidder is Trio Sitework at \$287,272.50. He reviewed the remainder of the Bids received. Mr. Ebert stated Trio Sitework was formerly known as Out of Sight Contractors; and while they did excellent work, they went out of business when they defaulted on multiple Municipal projects because of poor management. He stated they are reincorporated with new leadership with 50% new employees who are talented and have extensive resumes. Mr. Ebert stated he and Ms. Kirk will be reviewing the Bid documents, but at this point he would recommend awarding the Bid to Trio Sitework. He stated they have been in business for fifteen months at this point, and they have a lot of Accounts Receivable because they are a start-up.

Mr. Ebert stated this job will probably only involve two to three payment requests. Mr. Ferrante asked Mr. Ebert if he feels comfortable with this company, and Mr. Ebert stated he does for this type of job.

Mr. Hucklebridge joined the meeting at this time.

Mr. Ebert stated the second Bidder does excellent work, but they are required to award the Bid to the low Bidder according to the Public Bidding Laws if the low Bidder meets the criteria. Mr. Ebert stated they have always done good work, and this is not going to be a long job. Mr. Ebert stated the most important thing will be communication with the three property owners. Mr. Ebert stated the contractor will most likely ask for payment for the materials right away; and while he would pay them, they would have to be stored on site or in the Township yard.

Ms. Kirk stated she wants to see if they can come up with a Letter of Credit in lieu of a Performance Bond because if something happens and they do not do the job, she can go against a Letter of Credit much easier than against a Performance Bond.

Mr. Ebert stated the quality of the work of the prior company was never an issue. He stated they have been in business fifteen months as Trio Sitework, and they have an extensive list of equipment; but the issue is Accounts Receivable.

Mr. Bill Gaboda, 1230 Ash Lane, asked why Trio Siteworks is charging \$49,000 for the removal of the existing sewer pipe when every one else is charging about \$2,000 to \$3,000. Mr. Ebert stated this is just how they distributed their costs, and the other Bidders have other costs distributed differently as well; and they look at the bottom line.

Mr. Ebert asked for a recommendation from the Sewer Authority to the Board of Supervisors with the concurrence of both the solicitor and the engineer to award the Contract at their meeting on June 6.

Mr. Chirichella moved, Mr. Ferrante seconded and it was unanimously carried to recommend to the Board of Supervisors to approve Trio Sitework to perform the Heacock force main pipe replacement at their June 6 meeting.

Mr. Ebert stated when they are bypass pumping, they will be replacing the impellers at the Heacock Road force main, and they have gone out to Municipal Maintenance to get a price for the installation as Mr. Watson already has the impellers.

Scudders Falls Bridge Update

Mr. Ebert stated they received a set of revised Plans, and they issued a review letter dated May 18. He does not believe they have resubmitted Plans yet.

Dogwood Drive Update

Mr. Ebert stated they have a request out for meeting date availability to the developer, and he is coordinating dates to get back to the Township for a mid-June meeting.

Caddis Healthcare Update

Mr. Ebert stated he issued a Plan review for this development. He stated they are in the Neshaminy Interceptor area, and there is a Connection Management Plan as well as some potential delays. The Supplemental Agreement between Lower Makefield and Bucks County Water and Sewer Authority is being reviewed so that they can understand what will be involved in changing the public sewer service area. Mr. Ebert stated a complete copy of that was provided to their engineer on May 22.

Ms. Kirk stated if Mr. Ebert meets with them to discuss the flows because of the Act 537 Plan, he should make sure that he puts out language as to what kind of Agreement he wants them to give to the Township as it relates to the inter-property pump. Mr. Ebert agreed and stated there will be an on-lot pump station that will serve Caddis Healthcare, but there is a residual lot that is remaining that will also need to go to that pump station. He stated there needs to be an easement for the lateral to go there as well as a Maintenance Agreement. Mr. Ebert stated the concern is that if Caddis Healthcare goes out of business, the homeowner is relying on that pump station; and the homeowner needs the ability to go in and own and operate that pump station. Mr. Ebert stated he is proposing a grinder pump on that property that would tie into the force main so the force main would be common and he would not have to rely on their pump station. Mr. Ebert stated while their engineer has not agreed to that, it is Mr. Ebert's recommendation so that if Caddis goes out of business and the force main goes out of business, the property owner would still use the common force main.

Mr. Watson stated if he were to go the other way, it would have to be brought up to Township specifications because the Township would have to take over the pump station. Mr. Ebert stated the Township does not want to do that which is why there are going to be two private pump stations.

Ms. Kirk stated the project may not be going forward that quickly because the piece that fronts Oxford Valley Road is owned by the Township, and some people are indicating there was a Resolution preserving it as open space; and one of the proposed access points for the development goes through that Township-owned land.

Oxford Valley Road and Stony Hill Road Update

Mr. Ebert stated the letters were prepared and given to Mr. Fedorchak and are ready to go out.

Grey Nun Sewer Line Update

Mr. Ebert stated he got information from Mr. Watson and forwarded it to John Swenson. Mr. Ebert stated Mr. Watson will be having it re-televised again in the near future.

SOLICITOR'S REPORT

Ms. Kirk stated Mr. Hucklebridge sent a letter dated May 16 to John Warena advising him how much they owe Lower Makefield for the water flow into the Lower Makefield sewer lines.

Ms. Kirk provided two spread sheets which her office has created with regard to the sewer liens, and these were provided to the Authority members this evening. She stated the multi-page spreadsheet shows all of the liens that she has filed since August, 2017. She stated there are still properties with fairly high balances. She stated they are going through this quarterly with the Township so that if anyone hits \$1,000 or more, they file a lien. Ms. Kirk stated the next sheet shows the results of what they have been able to collect since they started filing the liens; and from August, 2017 to May, 2018, they have collected over \$47,000 in unpaid sewer charges. Ms. Kirk stated they do not get satisfied until they are paid in full and have reimbursed the Township for the attorney's fees and all the filing costs.

Mr. DeMuth asked the total of the outstanding balances, and Ms. Kirk stated she believes it is approximately \$130,000 although it fluctuates. Ms. Kirk stated everything gets billed through Bucks County Water and Sewer, and sometimes the information is slow getting to Adrienne in the Township Office. Ms. Kirk stated last week she heard from Adrienne that she just learned that there were five property owners who paid their outstanding bills to Bucks County Water and Sewer Authority, but did not pay the additional funds to the Township for the fees. Ms. Kirk stated it seems that the total amount of costs are approximately \$355.75 for each of the five properties, and that covers attorney fees and the cost for filing liens/satisfaction. Ms. Kirk stated she would leave it up to the Sewer Authority to decide whether they should just satisfy the liens since the bulk of the payment has been made or if she should go after and collect the fees due from these people. Mr. Tyler asked who paid for these fees, and it was noted the Township did; and Mr. Hucklebridge stated he would recommend that they go after the total and other Sewer Authority members agreed. Ms. Kirk noted some specific property owners who, while they paid the outstanding sewer bill to Bucks County, they did not work anything out with the Township to pay the fees. Mr. Hucklebridge stated without paying for the attorney and filing fees, he does not feel it is really satisfied. Mr. Chirichella asked that amount, and it was noted it is approximately \$350 per household. Ms. Kirk stated when she files a lien, a letter goes out to the property owner by Certified Mail and it indicates that they also have to pay for the attorney fees and cost of the filing. It was the consensus of the Sewer Authority that the property owner should have to pay those fees as well since they were notified of that in the letter sent to them.

Ms. Kirk stated there are some who are under payment plans once they were advised they had a lien against them. Mr. Ebert asked if they stop adding penalties and interest if they are on a payment plan, and Ms. Kirk stated she does not believe so because the amount she is being provided is a fixed amount of what is owed. Mr. Hucklebridge was asked to check with Adrienne on this.

Mr. Ferrante stated Mr. Grenier should announce at a Supervisors' meeting that this is being done and these funds are being collected, and he thanked Ms. Kirk for doing this work.

Ms. Kirk stated the timing of this was good since with interest rates having been low, some people are trying to refinance; and if there is a lien, it has to be paid.

Ms. Kirk stated she also needs to meet with Mr. Ebert and Mr. Hucklebridge about the Grease Trap Ordinance especially if Caddis Healthcare proceeds.

Mr. Hucklebridge stated he has distributed a sample Ordinance with regard to the grease traps. Mr. Tyler stated they want to make sure that it includes inspection, and Mr. Hucklebridge stated that is a critical piece – the inspection and enforcement portion. Mr. Tyler asked if there is someone they have in mind to do the inspection, and Mr. Hucklebridge stated they were discussing having it through Code Enforcement. Mr. Ebert noted another Township where they hired someone who does this full time although that would not be necessary in Lower Makefield Township.

Mr. DeMuth asked if they should consider a part-time Contract with someone to do this. Ms. Kirk stated they do not need to; and Mr. Ebert stated they are looking to have Code Enforcement handle this, and it would help fund that Department as well through the Fees.

DISCUSSION OF STACKHOUSE PUMP STATION

Mr. Hucklebridge stated Mr. Majewski provided him today with information as to what size Lot they should get. Mr. Hucklebridge stated the property owner already as a Subdivision which was approved but not Recorded. He stated they will use the numbers provided by Mr. Majewski and go back for the appraisal. Ms. Kirk stated they were looking at the section that was closest to the slopes and the wooded area, and to do it of a size that it would be a “buildable Lot” for appraisal purposes. She stated that would afford the Township more room as well.

Mr. Hucklebridge stated they would be able to move the driveway over so that they would not have to take out as many of the mature trees.

Mr. Ebert stated once they get an Agreement with that property owner, they will probably need an Easement across the back. Ms. Kirk stated once she gets a legal description, she can do that. Mr. Ebert stated they wanted to make sure they got the first property before they wanted to go after the second Easement that they would not need if they were not to be able to get the first one.

DISCUSSION OF SUMMER MEETINGS

Mr. Tyler asked if they feel they will have a need to meet in July and August as in the past, they did not have meetings in the summer. It was agreed to discuss this at the June meeting.

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There being no further business, Mr. Ferrante moved, Mr. DeMuth seconded and it was unanimously carried to adjourn the meeting at 8:05 p.m.

Respectfully Submitted,

Scott Ferrante, Secretary