

NORTH HUNTINGDON TOWNSHIP MUNICIPAL AUTHORITY
 REGULAR MEETING, JANUARY 5, 2011
NORTH HUNTINGDON TOWN HOUSE 7:00 P.M.

ROLL CALL:

Andrew Blenko	- Present	Kate Petrosky, Manager	- Present
Timothy Hondal	- Present	Don Snyder, Solicitor	- Absent
Edward Shields	- Absent	Dan Hewitt, Solicitor	- Present
Drew Polczynski	- Absent	Chuck Gilbert, System Superintendent	- Present
Joseph Korenic, Jr.	- Present	David A. Coldren, KLH Engineers	- Present

The Regular Meeting of the North Huntingdon Township Municipal Authority was called to order at 7:02 P.M. by Andrew Blenko, Chairman. Mrs. Petrosky called the roll and a quorum was present.

REORGANIZATION

Mr. Blenko stated due to the absence of two Board Members the Reorganization will be postponed until the February 2, 2011 meeting.

CITIZEN'S INPUT

There were no citizens present.

ENGINEER'S REPORT

Mr. Coldren reported that Bill Petrakis continues work on the Country Hills project. At one point he thought about pulling off site for the winter but the weather has cooperated. He has and will continue to work as long as the weather remains cooperative. He is over half-way through the project. If you recall last month, the Board approved a 30-day time extension which takes his contract to January 12. Dave and the staff met with Bill Petrakis and he laid out what his plan will be to complete the project. He basically needs about 65 working days which translates to 140 calendar days based on a four-day, 10-hour work week. That takes us to June 1 and anticipates not knowing what the weather conditions will be through March 1. He's hoping to get 20 good work days between now and then. That could definitely go up assuming the weather cooperates.

Mr. Hondal asked what his thought was on the proposed timeline? Mr. Coldren replied that the proposed timeline is very reasonable. With any luck he should finish up a few weeks before June 1. It is a tight area in which to be working. They talked about adding a second crew but they are installing the new sewers in essentially the same place as the old sewers, so it would be hard to have that second crew shoot off somewhere else. He's averaging maybe 80-85 feet a day. He's not making a lot of money doing that but

the quality of the work is good. The restoration was good when he was able to do that in the summer and fall. He's working out well. There have been few if any complaints from residents.

Mr. Hondal said that's a shame because with the time extension, it almost eliminates him from the next phase of it. Mr. Coldren stated they had informed him of that and it may be a bigger reason why he has continued to work through the winter months. He enjoys working for this Authority and has done several contracts prior to this one. He has worked out well.

Mr. Hondal asked when he thought we would be able to put out the next phase to bid? Mr. Coldren replied that in the next phase we will be doing the lateral replacements first, and that will have a 60-day contract time which is appropriate. Design is probably 35-40% complete on Phase 2 of Country Hills. Trying to get construction completed before winter of next year, we'd probably have to advertise in May. There is a lot that has to happen to hit that, including getting easements.

Mr. Coldren said the state had set a date of December 12 to make a decision on the H2O grants, but there was a big snowstorm further east and that meeting was postponed for another month. The state is supposed to act on the H2O applications sometime around January 13-14. We should know by the next Board meeting whether or not that money will come through.

Mr. Hondal stated he's not willing to give a time extension to that time period.

Mr. Blenko said he understands the frustration, but he has been a good contractor. He is certainly night-and-day apart from the guy they had on Diane Merle. We are not financially harmed in any way by him drawing the project out. His prices are fixed. It's not like they are going up and it's costing us more. Frankly, at this point he's surprised that they'd even want to continue working. All the restoration work has to be postponed until April anyhow. He'll still be working in April even if we said he's done. Unless you want to put him in default and go through rebidding and bring in another contractor. He still has to come back in April and get grass to grow. He'll still be here then anyhow. It sounds like there was a major hiccup when this was bid, KLH assumed the two crews would be working and therefore would take much less time.

Mr. Coldren said we had a tight schedule.

Mr. Blenko said the contractor assumed one crew would be enough. He could understand the situation. If you have to keep flow going in your line and you're only bypassing around where you're working it makes it pretty difficult to have two crews working. You don't really achieve the economy of scale of having two crews working; you're just stumbling over each other. He's spending a lot more money without a lot more progress. My feeling is we just chalk this up to a lesson learned and keep this in mind when we do the next phase. I don't think the contractor has done anything wrong

other than not meeting our anticipated schedule and maybe to fault his hours for anticipating too rapid of a schedule. I don't think the contractor should be penalized because of that.

Mr. Coldren commented on the expenses from the Authority. The Authority does provide the inspection on this project so they are not paying KLH another six months of inspection which could be costly.

Mr. Hondal stated that it's still costing us. Mr. Coldren said yes, because they could be doing something else.

Mr. Hondal said the point is that we couldn't have been off by six months on our projections. There is no way there is six months between what KLH Engineering came up with and the final product. Mr. Hondal said we keep giving them time extensions, and he thinks we need to push back just a little bit.

Mr. Blenko asked if we could counter with giving him a time extension, but he's going to have to pay for inspection costs beyond such time frame?

Mr. Coldren said that proposal could be made. The liquidated damages built into the contract are \$650 per day which is to cover inspection costs and other costs that are incurred. Inspection costs would be below the \$650 per day.

Mr. Blenko asked what the inspector would be doing if he was not out there inspecting this work? Mr. Gilbert replied he would be assisting with operations at the plant. During the winter we are a little slower so he assists with operations or fills in other places. Mr. Coldren said there is currently one developer working, which is covered.

Mr. Blenko asked if we're in a pinch because that staff member is not available at the plant? Mr. Gilbert replied no, not at this time. Mr. Hondal asked if that would change when the weather breaks?

Mr. Gilbert said the way they run the plant, they don't know how many inspectors they are going to have out at any given time. We have three inspectors that in the summer could be all out at the same time, so he has to work around it. If Wayne wasn't out inspecting in the summertime, he'd be cutting grass or something like that.

Mr. Hondal said whether he's performing that job function in March or an additional job function cleaning or repairing equipment or whatever in January, he's still performing some other type of work function.

Mr. Gilbert said he thinks if Bill keeps on going at the rate he's going now, he has been working every day he has depending on the weather, he would be surprised if Bill is not done by the end of April or the beginning of May. He's done with more than half of

Country Hills and basically depending on the weather, his biggest point now is going to be up behind his house, Westchester, all backyards. He doesn't think Bill wants to get them in the middle of winter.

Mr. Hondal said he's fine supporting a little less of a time extension with the option that he covers the inspection cost of anything past that. He'd be looking at a time extension date of March 30.

Mr. Blenko said he thinks that's a fair compromise.

Motion:	Hondal	Motion to approve a time extension for the contractor performing work in Country Hills until March 30. If any work is performed after that point in time, he will be responsible for the full cost associated with any inspections dealing with that project.
Second:	Blenko	

Motion Carried 3 – 0 – 0

Mr. Coldren stated he will prepare the change order, get it to the contractor and get it back to the Authority for signatures. We had the bid opening for the Laterals, Phase 3 project. The low bidder was Border Patrol. Their low bid was \$90,110. The County is currently reviewing the paperwork and we are going to take another look at their references and paperwork. We will hopefully have a recommendation for the Board next month.

Mr. Blenko asked where that comes in relative to bids on the prior phases? Mr. Coldren replied it is very similar. In the last phase we replaced maybe 30 laterals and we were at about \$85,000 so they were comparable. Our estimate was \$100,000 based on last year's prices. They've pretty much stayed as in past years.

Mr. Blenko asked as with any of this work, you're assuming a given quantity of different unit functions and then what comes out in the wash comes out in the wash depending on what's involved with the laterals?

Mr. Coldren replied that is correct. We had maybe 12-13 unit bid items and we did make a site visitation. We know exactly what properties are getting a new lateral. We measured the footage and determined if they had a concrete, asphalt or stone driveway. Our quantity should be close.

Mr. Blenko asked if it was the Highland Terrace force main that had the break and if that situation is under control at least for the meantime?

Mr. Coldren replied that Chuck and the crew were able to install a manhole and essentially turn a portion of the force main into a gravity sewer. That's greatly helped the

downstream side of the force main. We've had the survey crew out to survey. We're looking at installing a permanent gravity sewer. We may reroute slightly from the existing force main but that's all in the works and we'll be bringing that to the Board for either advertising or perhaps hiring a contractor and replacing the force main.

Mr. Blenko asked about the scope of the project, and Mr. Coldren replied 500-600 feet. Mr. Blenko asked if it was the downhill portion? Mr. Coldren replied it was the downhill portion. The force main came up, peaked and then continued as a force main on a downward grade. That downward grade is where the corrosion occurred.

Mr. Blenko said its likely hydrogen sulfide from the inside. On the side where it's always underwater you wouldn't have that problem. Mr. Coldren agreed.

Mr. Blenko asked if we needed a vote on the award of CDBG Lateral Replacement Project, Phase 3? Mr. Hewitt replied they are holding the CDBG until next month. Mr. Blenko said they had talked upstairs about finding out if they were a Pennsylvania contractor. Mr. Coldren said he's going to check into that as well as let the County continue their review. Mr. Blenko asked if we've got the latitude to hold the bid for that long, and Mr. Coldren said yes.

SOLICITOR'S REPORT

Attorney Hewitt said there are a couple of items coming up on Old and New Business tonight that his office has been involved in. We've given the report on the pending litigation matters, all of which are proceeding. We're still waiting to hear from the judge on the WWMA litigation and whether Penn Township is going to get in. That's up to the judge and that judge's office seems to be about a month behind. On another matter, he received an Order today that was signed by the judge on December 9.

Attorney Hewitt stated they did close the Ivanhoe Drive sale last month and delivered the proceeds to Kate.

Attorney Hewitt said they have been reporting over the last couple months on the upcoming SWAP deadline. They had a meeting tonight with Bond Counsel, Dean Richardson, and the Authority's Investment Banker, Michael McCaig. At this point the Authority Board needs to consider a motion to authorize current Bond Counsel and Investment Banker to proceed with actions necessary for the exercise of the SWAP effective April 1, 2011.

Motion: Hondal
Second: Korenic

Motion to authorize current Bond Counsel and Investment Banker to proceed with actions necessary for the exercise of the SWAP effective April 1, 2011.

Motion Carried 3 – 0 – 0

Mr. Blenko asked about the Parkside Plan of lots. He thinks the Township would obviously want easements preserved in that property for whatever storm sewers become necessary.

Attorney Hewitt said the last time Mr. Blenko reported that it had been sent to the Township stormwater engineer for review. Mr. Blenko said it's a dead issue.

Attorney Hewitt said that's what he assumed, but there had been no final response on that. He noted that this may be impacted by the DiToppa case because that's the line going through. Mr. Hondal asked if the incident with DiToppa was up the street? Attorney Hewitt replied yes, it was up or over the hill.

Mr. Blenko stated he thinks the Township's only request would be that rights-of-way be preserved when that property is sold. At some point, somebody needs to survey that property. Barry Sakal had done so but he doesn't know the accuracy of his survey.

Mr. Hondal said his recollection is what we saw from Barry didn't have easements shown at all. Mr. Blenko agreed and said he thinks we want to make sure there are easements there for whatever storm sewers are in place out there.

Mr. Hondal said if we're going to make a deal with Staso, he should bear the cost of that. Pass that along as part of the cost of the project.

Mrs. Petrosky asked if Staso is still interested in purchasing it now that he's just gone ahead and put his road in? Mr. Blenko replied he thinks it's up to us to say either vacate your road or buy it. Mrs. Petrosky agreed.

Mr. Blenko said then we're back to the Ivanhoe Drive situation. What do we have to do to make sure that it goes to the highest and best bidder? DiToppa may happily buy it to keep Staso from using it. The only people who can win there is us.

Attorney Hewitt said he thinks perhaps the first thing we need is for the Township to formally respond. If you can get the Township to say it's not feasible to do a storm water pond. Mr. Blenko said he thought that was done. Attorney Hewitt said the last report he gave on this was that we were waiting to hear. Mrs. Petrosky said she got a memo from Andy about a month or so ago that was a colored drawing and map. Mr. Blenko said he would get him a copy.

Attorney Hewitt said then we can approach Staso and say this is what it is and we're willing to do this but there are going to be costs involved in creating the plan and showing the easements that we could incorporate into the document.

Mr. Blenko asked how we deal directly with Staso if we're going to sell a piece of ground? Attorney Hewitt said he would look into it. Mrs. Petrosky asked Andy if he's going to give Dan a copy of what he gave to her. Mr. Blenko replied yes.

MANAGER'S REPORT

Motion: Blenko Motion to approve the minutes of the Regular
Second: Hondal Meeting on December 1, 2010.

Motion Carried 3 – 0 – 0

Motion: Korenic Motion to approve the minutes of the Work
Second: Hondal Session on December 1, 2010.

Motion Carried 3 – 0 – 0

Motion: Hondal Motion to approve the following bills:
Second: Korenic Capital Reserve Requisition #120 -- \$ 78,089.93
Administration and System -- \$277,092.30
Payroll -- \$ 100,509.15

Motion Carried 3 – 0 – 0

OLD BUSINESS

Mr. Blenko stated last month we talked about the Intermunicipal Agreement with South Versailles to service two lots; William Haywood and one next door that he would be coming through on the way. That had to go to South Versailles for signature.

Mrs. Petrosky said Don Snyder's office has worked out the agreement which has been signed by South Versailles. She didn't think it would hurt for them to just go ahead and take action this evening for signature authorization. They took some contingent action last month.

Attorney Hewitt said now is the time. They have approved it based upon the document prepared by his office. They signed it as of December 28 and we are ready to go with our approval.

Mr. Blenko asked if he was mistaken that a document shouldn't be dated until the last party signs? Attorney Hewitt said that was his understanding too, but they went ahead and dated it on their signature. We will re-date it on ours when necessary.

Motion: Blenko Motion to sign the Intermunicipal Agreement with
Second: Hondal South Versailles.

Motion Carried 3 – 0 – 0

ANNOUNCEMENTS

An Executive Session was held after the Regular Meeting to discuss litigation matters concerning Glenn Engineering and the Western Westmoreland Municipal Authority, and collective bargaining.


ADJOURNMENT

Motion: Korenic
Second: Hondal

Motion to adjourn.

Motion Carried 3 – 0 – 0

Meeting adjourned at 7:29 PM.


Edward P. Shields, Secretary