

**LOWER SAUCON AUTHORITY
MINUTES OF MEETING
JUNE 20, 2023**

1. Call to Order

Mr. Gress called the meeting to order at 6:30 P.M.

2. Roll Call

Present were Mr. Gress, Chairman; Mr. Smith, Vice Chairman; Mr. Werner, Secretary; Mr. Corcoran, Treasurer; Mr. Thakkar, Member; Mr. Ross, Administrator; Ms. Fetzer, Assistant, Administrator; Mrs. Kerchner, Secretary; Mr. Backenstoe, Attorney; Mr. Youst, Engineer; (Mr. Carocci and Mr. Reccek were not present).

3. Citizen Agenda Items

None.

4. Minutes

Motion by Mr. Gress, Second by Mr. Werner to approve the minutes dated May 16, 2023 as presented.

Roll Call 5-0 Motion Approved. (Mr. Davis and Mr. Keich were not present).

5. Financial Report

Mr. Corcoran said he prefers to look at the year-to-date figures. He said there has been a great deal of project costs recently from the Creekside project and the extra costs associated with the Meadows Road bridge. He said the Authority has a healthy cash balance. He said we are waiting to see if the Authority receives the grant to use for the Creekside project and we will find that out sometime in July. He noted that the financial packet includes the check register and the PLGIT investment summary sheet for the Board Members to review. Mr. Ross noted that we have an excellent rate right now with the PLGIT investments.

6. Agenda

A. Personnel

Mr. Ross said he added this to the agenda. Mr. Ross said we received notice that Jack Daniels passed his sewer license test and Brandon Kutos passed his water license test. Mr.

Ross would like to recommend the promotion for Brandon from a Tech II to a Tech I with a 5% raise. Mr. Ross would like to recommend the promotion for Jack from a Tech I to a Mechanic with a 5% raise. Mr. Ross said the raises would be effective the pay period starting June 26th and being paid on July 10th. Mr. Ross said to receive the promotion and raise each employee must show proof of receipt of their license. The Board members agreed upon the promotions and raises.

Motion by Mr. Corcoran, Second by Mr. Werner to promote Brandon Kutos from a Tech II to a Tech I and Jack Daniels Jr. from a Tech I to a Mechanic with the recommended raises from the Administrator Mr. Ross.

Roll Call 5-0 Motion Approved. (Mr. Davis and Mr. Keich were not present).

B. Right- to-Know Policy

Attorney Backenstoe said Mr. Ross has received a few Right-to-Know requests that were nothing special in particular. It was determined by Mr. Ross, which was then relayed to Attorney Backenstoe that Lower Saucon Authority does not have a right to know policy. Attorney Backenstoe said he immediately drafted a right to know policy for the Authority. Mr. Corcoran asked what information is asked for in the requests. Attorney Backenstoe said that for Authorities sometimes it is just fishing for information but for townships it is much more involved. Attorney Backenstoe then briefly reviewed the Right-to-Know requests and how they are handled. The Authority now has a very comprehensive Open Records Policy.

Mr. Smith asked about how often the Open Records Policy would need to be updated. Attorney Backenstoe said he will keep the Authority up to date as the right to know policies change.

Motion by Mr. Werner, Second by Mr. Smith to approve the Lower Saucon Authority Open Records Policy.

Roll Call 5-0 Motion Approved. (Mr. Davis and Mr. Keich were not present).

C. Bid for Meadows Road Bridge Pipe and Materials

Mr. Ross handed out a sheet with the bid results that included each line item of the bid. Mr. Ross said we received only two bids, a bid from Ferguson and a bid from LB Water. He said we have a good relationship with both bidders. Mr. Ross then went over the bid with the Board Members. There was one line item on the bid for some wire and Ferguson priced it out much higher than LB Water. This was a mistake that Ferguson made. If Ferguson would have had the correct price per amount for the wire their bid would have

been lower than LB water. Mr. Ross is recommending that we award the bid to LB water in the amount of \$187,510.22.

Mr. Youst then reviewed the importance of this bid for obtaining the materials ahead of time, so we have the materials when the Authority needs the contractor to begin work. Mr. Youst said we will inform everyone at the pre-bid meeting that the Authority will require boring equipment that way the bidders know this ahead of time to avoid any possible delays. The bid to acquire the contractor for the Authority will go out January of 2024 and will be awarded around March of 2024. The work will likely begin around April before the county bridge contractors begin their work. Mr. Youst noted that the pipe for this bid is about a 6-month lead time.

Mr. Thakkar asked if Mr. Youst put the pipe bid specs together himself. Mr. Youst said he wrote the bid with the assistance and oversight of Mr. Reccek. There are a few extra fittings included in the bid to not have to delay the project if they are needed as work progresses. Mr. Thakkar asked if the permits were submitted to DEP. Mr. Youst said the permits will be submitted by the end of June. Mr. Thakkar reiterated with the Board Members that Mr. Youst has no control over the review process with the permits. He said it is difficult to predict timelines with permits.

Mr. Smith asked if we had an estimate for what the pipe bid would be. He just asked if the bid amounts are reasonable. It was determined that the bid amounts are reasonable.

Mr. Werner asked what the turnaround would be to put out another bid. Mr. Ross said we would have to notify the bidders that all bids were rejected. He said that we would then have to rebid, and it could be awarded at the July meeting. The bids are public, and each bidder knows the bid results. The Authority is required by law to award to the lowest bidder. Attorney Backenstoe noted that we do not have to give a reason for rejecting the bids.

Mr. Gress made the note that it might not be worth it to rebid. We do not want to cause any problems and ruin our credibility with these suppliers. We also do not know what the new bid amounts would be and they could be higher.

Mr. Thakkar asked if there is a time clock on the bid for the materials to be delivered. Mr. Ross said the bid included a note to say we expect delivery as market conditions allow. Mr. Youst said as part of the contract we will have the supplier provide a time commitment. Mr. Thakkar asked if there is any contract that we have with the supplier who won the bid. Mr. Ross said in the past we have always awarded the bids and then just sent them a purchase order.

Mr. Thakkar asked when the county contractors will begin work. Mr. Youst said they are planning to award the bid in April so the work will begin sometime in May.

Mr. Smith said we should tell LB Water that the Board Members approved the bid, and that the Authority expects delivery in a commercially responsible time frame.

Motion by Mr. Smith, Second by Mr. Corcoran to award the bid to LB Water subject to receiving the material in a reasonably commercial time.

Roll Call 5-0 Motion Approved. (Mr. Davis and Mr. Keich were not present).

D. 2022 Consumer Confidence Report

Mr. Ross said the CCR was sent out to our water customers last week. This report is sent out every year in June to the water customers.

E. North Drive Pipe Replacement Project

Mr. Ross said all the water mains are installed. The crew is now working on the restoration. The paving is completed. The property restoration will now begin. Mr. Ross said the project went well and the crew did an excellent job.

F. Creekside Update

Mr. Youst said the board packet included the proposal from M&W Precast, LLC. Mr. Youst then noted that they are close to having the environmental permits submitted. He said he is beginning work on the specifications for the bid for the contractors that will be needed to complete the work. Mr. Youst said we received the proposal for the generator building from M&W Precast, LLC, who is COSTARS approved. The Authority can approve the shop drawings as phase 1 of the contract. It will take about 1 to 2 months for the shop drawings which will include the time for the communications back and forth with the Authority to make sure the drawings are approved. When the Authority is ready, we can tell them to begin phase 2, which is the generator. Mr. Thakkar asked how long phase 2 will take. Mr. Youst said it will take about 56 weeks to get the generator and then some more time to get the generator installed in the building. Mr. Thakkar wanted to confirm that the generator work is outside the county work and is at a different location than the piping for the bridge. It was confirmed that the building and generator are at a different location than where the bridge work is being done. We will save about 3 to 4 months when we give the go ahead for phase 2 which is the generator rather than waiting for our construction contractor to purchase this for the Authority. Mr. Youst said he talked to them about phasing the proposal with the generator separately. They said that this is not compliant with their contract under COSTARS. Mr. Thakkar asked if there are other proposals for the two-phase work and Mr. Youst said there are not since this company is COSTARS approved. Mr. Thakkar said we also would have a cost for M&W Precast to store the generator until needed by the Authority if they would have been able to purchase

it separately. Mr. Youst said M&W visited the site to make sure we meet the requirements they need. Mr. Thakkar said the Authority's risk is \$6,000.00 for the shop drawings that we would have to pay up front. He then said that Mr. Youst is suggesting that we wait until we get the permits in hand to begin phase 2 and spend money on the generator.

Attorney Backenstoe reviewed with the Board Members some of the provisions in the fine print at the bottom of the contract that he has some concerns about.

Mr. Corcoran asked if it is being asked of the Board Members to approve the proposal tonight. The intent was to approve the proposal tonight, but the proposal needs to be looked at further by Attorney Backenstoe after his brief review of the terms and conditions associated with the proposal. It was then determined that Attorney Backenstoe will contact M&W Precast, LLC to discuss his concerns with them.

Mr. Ross reviewed with the Board Members the options we have and one of them is to wait to approve the proposal and let Attorney Backenstoe contact M&W Precast, LLC and discuss his concerns with them. He said we also could vote to approve the proposal pending approval from Attorney Backenstoe which Mr. Ross said he does not feel we are in a rush to do this.

Mr. Smith said to Attorney Backenstoe that if they do not want to negotiate with our terms can we get names of other municipalities or schools that have used M&W Precast, LLC. Mr. Youst said we can do this.

Mr. Thakkar asked if we have the permit for the driveway. Mr. Youst said his team will begin working on that next and that will be completed around the end of July.

The Board Members agreed to table the vote for the proposal until Attorney Backenstoe gives his updates along with his approval of the contract.

Mr. Corcoran asked if we need any additional insurance coverage while the construction work is being completed since this is such a big contract and project. Mr. Ross said he will talk to our insurance broker.

Mr. Youst said we are waiting to hear about the grant being awarded in July. He said we will begin looking at financing for the project in more depth and to see the options and how the cost of this project would affect our sewer rates for our customers. This would be if the Authority does not receive the grant.

7. Citizen Non-Agenda Items

None.

8. Reports

A. Attorney

Attorney Backenstoe had nothing further to report.

B. Engineer

Mr. Youst said he had nothing further to report.

C. Administrator

Mr. Ross said he received notification from Jim Young at the township that the Lower Saucon Authority Steel City tank does not have an address. Mr. Young said that he assigned the tank the address of 2150 Saucon Avenue.

D. Chairman


Mr. Gress noted that there is a proposal for a cell phone tower in Steel City. He noted this because the one proposed location for the tower is near our tank. This is still just in the process of being proposed to the township.

E. Members

No members had anything to report.

9. Adjournment

Upon motion by Mr. Gress, Second by Mr. Corcoran the June 20, 2023 Board Meeting adjourned at 8:10 P.M.

Respectfully Submitted,

Emily Kerchner
Recording Secretary