

**SUMMIT TOWNSHIP SEWER AUTHORITY
MONTHLY BUSINESS MEETING
MAY 29, 2014**

The regular monthly business meeting of the Summit Township Sewer Authority was called to order with the Pledge of Allegiance at 9:05 a.m. by Vice Chairman Michael Rose at the Sewer Authority Building, 8890 Old French Road, Erie, Pennsylvania. CALL TO ORDER

Present: Michael Rose, Vice Chairman; Cloyd J. Rose, Secretary; Laban Marsh, Ass't Secretary; Mark Welka, Treasurer; William C. Steff, P.E., Manager; Douglas C. Sceiford, P.E., Hill Engineering; Atty. George Joseph, The Quinn Law Firm; and Caitlyn Haener, Administrative Secretary. Absent: Chris Fette, Chairman. ROLL CALL

Motion by Mr. C. Rose, seconded by Mr. Welka to approve the minutes of the April 24, 2014 Regular Business Meeting. Vote 4/0. 4/24/14 MINUTES

Motion by Mr. Welka, seconded by Mr. Marsh to approve the Treasurer's Report as submitted to and reviewed by all Board members. Vote 4/0. TREASURER'S REPORT

Motion by Mr. Welka, seconded by Mr. C. Rose to approve the Expenditure Report as submitted to and reviewed by all Board members. Vote 4/0. EXPENDITURES

SOLICITOR'S REPORT

Solicitor Joseph has been working with Manager Steff to revise the standard developer agreement to incorporate standard PennDOT Highway Occupancy Permit Agreement language. This will eliminate the need for two separate agreements. There are currently three agreements on hold, pending related revisions. STANDARD DEVELOPER AGREEMENT

Holiday Inn Lift Station Upgrade Project: Solicitor Joseph reports that on April 30, 2014 the Authority purchased a lot from John Swenson for the future site of the upgraded Holiday Inn Lift Station. Mr. Swenson also provided the Authority with a Sanitary Sewer and Stormwater Easement Agreement. At the closing, Mr. Swenson informed the Authority that a buyer has expressed interest in an adjacent lot. Additionally, there is uncertainty about the exact location of the future sewer lines to the pump station pending the location of future Penelec power lines. Solicitor Joseph advised that a Future Utility Easement Agreement should accompany the transaction to protect the Authority's future sewer line location options. Solicitor Joseph and an Attorney representing Mr. Swenson crafted a Future Utility Easement Agreement at the closing that was signed by Mr. Swenson. Solicitor Joseph has filed for tax exemption for the purchased parcel; the exemption will take effect in 2015. HOLIDAY INN LIFT STATION UPGRADE PROJECT PARCEL PURCHASED

Solicitor Joseph reports that the Authority has been made aware of a vehicle damage claim regarding The 2010 Sewer Extension Project underway on Dorn Road. McLallen DAMAGE CLAIM ON DORN ROAD

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Construction denies responsibility. This is a matter for the contractor and their insurance company. Any formal claim would be filed against the contractor's insurance. The Authority is covered by our contract with McLallen Construction. DAMAGE CLAIM
ON DORN ROAD
(Cont.)

Solicitor Joseph reports that many liens have been satisfied recently. Solicitor Joseph expects that the next lien to be satisfied will be 115 Brent Avenue; a sheriff's sale will take place in July. The amount of the lien is currently \$1,115.16. LIENS

Solicitor Joseph reports that he continues to work on a new rate resolution. RATE RESOLUTION

ENGINEER'S REPORT

2010 Sewer Extension Project: Engineer Sceiford reports that the Contract 1 (Proctor/Merle/Melvin) restoration is underway. Contract 2 (Dorn) is now substantially complete. Contract 3 (New Road) gravity portion of the sewer line will be finished soon. Then the contractor will begin work on the force-main and the long-side laterals. Contract 4 (New Road Pump Station) is now substantially complete. Engineer Sceiford recommends Payment #6 on Contract 2 to McLallen Construction in the amount of \$31,632.03, Payment # 3 on Contract 3 to Amendola Development in the amount of \$33,862.50 and Payment #3 on Contract 4 to McLallen Construction in the amount of \$51,287.75. 2010 SEWER
EXTENSION
PROJECT UPDATE

Motion by Mr. Welka, seconded by Mr. C. Rose, to authorize Payment #6 on Contract 2 to McLallen Construction in the amount of \$31,632.03, Payment # 3 on Contract 3 to Amendola Development in the amount of \$33,862.50 and Payment #3 on Contract 4 to McLallen Construction in the amount of \$51,287.75. Vote 4/0. AUTHORIZE
PAYMENTS:
CONTRACT 2,
CONTRACT 3 &
CONTRACT 4

Engineer Sceiford presented a work order for Board Approval on Contract 4 (New Road Pump Station). The paved parking area around the pump station for STSA maintenance vehicles would be more convenient for maintenance staff if it were slightly wider. A wider paved pad would allow for easier snow plowing, eliminate grass mowing at the site and make it easier for maintenance staff to maneuver equipment. Operations Foreman McAtee has checked with the township and he reports that they would allow the change. Engineer Sceiford reports that the additional paving was quoted at \$57/square yard and the additional paved area is less than 40 square yards. Engineer Sceiford estimates the total cost will be \$2,300.00. If the Board approves, Engineer Sceiford will write Change Order #2 to Contract 4. CONTRACT 4
CHANGE ORDER

Motion by Mr. Welka, seconded by Mr. C. Rose, to approve a change order to Contract 4 (New Road Pump Station) for additional paving at \$57/square yard. Vote 4/0. CHANGE ORDER
APPROVED

The Board requested an update on Proctor/Merle/Melvin connections. Manager Steff responded that there are 3 residences that have not obtained permits yet. Proctor/Merle/Melvin residents have until July 15, 2014 to connect. One of the residents PROCTOR/MERLE/
MELVIN
CONNECTIONS

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who has not yet obtained a permit contacted the Authority and met with Manager Steff; this may be a hardship case for future Board consideration.

PROCTOR/MERLE/
MELVIN
CONNECTIONS
(Cont.)

MANAGER’S REPORT

Holiday Inn Lift Station Upgrade Project: Manager Steff reports that on May 1, 2014 the Board was polled concerning authorization to enter into a Sanitary Sewer and Stormwater Easement Agreement with John Swenson. Board approval was unanimous. The agreement was signed, notarized and delivered to The Quinn Law Firm to be recorded at the Erie County Courthouse on May 5, 2014. Solicitor Joseph recommends that the Board confirm the results of the poll with a formal motion.

SWENSON
EASEMENT
AGREEMENT

Motion by Mr. Welka, seconded by Mr. Marsh, to substantiate the May 1, 2014 poll to enter into the Sanitary Sewer and Stormwater Easement Agreement with John Swenson. Vote 4/0.

APPROVE
SWENSON
EASEMENT POLL

Manager Steff reports that on May 1, 2014 the Board was polled concerning authorization to enter into an Agreement to Provide Future Utility Easement with John Swenson. Board approval was unanimous. The agreement was signed, notarized and delivered to The Quinn Law Firm to be recorded at the Erie County Courthouse on May 5, 2014. Solicitor Joseph recommends that the Board support the results of the poll with a formal motion.

SWENSON FUTURE
UTILITY
EASEMENT

Motion by Mr. C. Rose, seconded by Mr. Marsh, to substantiate the May 1, 2014 poll to enter into the Agreement to Provide Future Utility Easement with John Swenson. Vote 4/0.

APPROVE
SWENSON FUTURE
EASEMENT POLL

Manager Steff reports that Robert & Rita Stewart have signed the modified Sanitary Sewer Right-of-Way Agreement. This easement is for a larger area; it expands on the November 2013 easement and involves the Letter of Understanding approved at the March 2014 Regular Business Meeting.

STEWART
EASEMENT

Motion by Mr. Welka, seconded by Mr. Marsh, to enter into the Sanitary Sewer Right of Way Agreement with Robert & Rita Stewart. Vote 4/0.

ENTER
STEWART
EASEMENT

Mike Shaw (owner 8499 Perry Highway) has contacted the Authority to connect the property to sanitary sewer via a private grinder pump. The end of the existing lateral stub is in the PA DOT Right-of-Way. Mr. Shaw met with Manager Steff and signed an Indemnification Agreement for a Highway Occupancy Permit. All permit fees and security are in place.

SHAW
(8499 PERRY HWY)

Motion by Mr. Marsh, seconded by Mr. C. Rose, to enter into an Indemnification Agreement for a Highway Occupancy Permit with Michael Shaw for the 8499 Perry Highway connection. Vote 4/0.

SHAW
INDEMNIFICATION
AGREEMENT

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Manager Steff reports that Tresler-Rae-Dahlkemper Partnership has signed and returned a standard Developer Agreement for Phase 5 of The Trails at Five Points. The Developer Agreement was originally sent to the Partnership from STSA in March 2014. Discussion ensued as to how best to incorporate recent changes to the standard Developer Agreement with Tresler-Rae-Dahlkemper. The Board agreed that the best course of action for this development would be to enter into the signed agreement now and amend it as needed.

TRAILS AT FIVE
POINTS: PHASE 5

Motion by Mr. Marsh, seconded by Mr. C. Rose, to enter into the Developer Agreement with Tresler-Rae-Dahlkemper Partnership for Phase 5 of The Trails at Five Points. Vote 4/0.

TRESLER-RAE-
DAHLKEMPER
DEVELOPER
AGREEMENT

Manager Steff reports that ~~the original, he has reviewed the~~ Route 97 Lift Station Engineer Service Agreement from Hill Engineering, Inc. for the Holiday Inn Lift Station Upgrade Project, included in the business report has been revised. Manager Steff described the scope of the service agreement to the Board. There are 3 components to the agreement. Detailed design, electrical engineering and bidding are included in a lump sum fee of \$200,000.00. Permitting and project administration fees will be charged on an hourly basis. The work required to obtain proper permits is expected to total \$25,000.00. Project administration includes resident project representation and is expected to total \$320,000.00. The sum of these components is \$545,000.00. Detailed discussion of the agreement ensued.

ROUTE 97 LIFT
STATION
ENGINEERING
SERVICE
AGREEMENT

Mr. Welka expressed that he would like a Summit Township resident to be considered for the electrical engineering subcontract within the Route 97 Lift Station Engineer Service Agreement. Mr. Welka recommended that Summit Township resident Kevin Earley should be given the opportunity to submit a proposal for professional services. Mr. Welka added that the final selection of an electrical engineer should be left to the experts at Hill Engineering.

Mr. C. Rose requested an explanation of the design life of the proposed Route 97 Lift Station. Engineer Sceiford responded that the proposed lift station capacity will address ultimate sewage flow for the eastern portion of the township. The initial design will have 4 pump bays, but only 3 pumps will be installed with the project. Currently, one pump will handle average flow and a second pump will address the current, any peak. The third pump is a spare at this time. The Authority will have the ability to increase pump sizes over time and add a fourth pump if there is ever a need. Mr. C. Rose would like to review the plans before they are final.

Motion by Mr. C. Rose, seconded by Mr. Marsh, to enter into the Route 97 Lift Station Engineer Services Agreement with Hill Engineering, Inc. Vote: 3/1 (MR, CR, LM-Y; MW-N)

ACCEPT HILL
ENGINEERING
SERVICES
AGREEMENT

Mr. Welka commented that he voted no because he needs more time to review the Route 97 Lift Station Engineer Services Agreement.

Manager Steff reports that all Board members were previously provided with a final copy of the Employee Handbook/Personnel Code and evaluation criteria drafted by Dave Stephany of Infinity Resources. The final copy has been reviewed by Solicitor Joseph and has been revised to include a section on FMLA and a paragraph regarding false accusations. Manager Steff asked the Board if they would like more time to review the materials, if they would like a presentation by Manager Steff, if they would like to schedule a presentation by Mr. Stephany, or if they are ready to adopt the new personnel code. Both Solicitor Joseph and Manager Steff recommend adopting the new Employee Handbook/Personnel Code. Mr. M. Rose confirmed with Solicitor Joseph that the new code meets FMLA requirements. The Board Personnel Committee confirmed that they are in favor of adopting the new code.

EMPLOYEE
HANDBOOK /
PERSONNEL CODE

Motion by Mr. Welka, seconded by Mr. C. Rose, to adopt the new Employee Handbook/Personnel Code and evaluation criteria. Vote 4/0.

ADOPT NEW
PERSONNEL CODE

Manager Steff reports that Operations Foreman, Martin McAtee, has been employed with Summit Township for 35 years this month. The Board recognized and expressed appreciation for Mr. McAtee's many years of exemplary service to the Authority.

RECOGNITION OF
OP FOREMAN
MCATEE

VISITOR COMMENTS

None.

NEW BUSINESS

Mr. Welka requested an update regarding the sewer line installed at the Home 2 Suites by Hilton Garden, 8035 Oliver Road, formerly the Patel Hotel Project. Mr. Welka, with input from Engineer Sceiford and Manager Steff, reminded the board of the project issues first reported at the May 30, 2013 meeting. Mr. Welka is concerned about how to best address the issue of the developer not complying with STSA procedure, by failing to contact the STSA inspector, and providing incomplete information to the Authority, regarding the retaining wall. Mr. Welka stated that he does not want to make an example of any developer for the sake of sending a message; however, the Authority must be able to work with developers without being taken advantage of. Further, Mr. Welka expressed concern that the proposed construction of 2 more hotels in the area will exacerbate any potential problems with this sewer line and it will become the Authority's problem later. Manager Steff responded that only 2 more lots to be connected to the line. Testing is complete and the As-Builts have been submitted. The sewers passed the tests. However, there is an issue in the start manhole. We are still investigating the issue and asked the engineer of record (Michael Sanford) to submit some additional information on the pipe elevations. Once we have all of the information we hope to develop a plan of action that will improve the situation. The grade of the sewer is split with one portion at a steep grade and another at standard grade.

HOME 2 SUITES/
PATEL HOTEL

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With no further business to come before the Board, Mr. Marsh, motioned to adjourn, seconded by Mr. Welka. Vote 4/0.

Vice Chairman M. Rose adjourned the meeting at 10:33 a.m.

~~ADJOURNMENT,
EMPLOYEE-
HANDBOOK-/
PERSONNEL-CODE~~

Respectfully submitted by,

Caitlyn Haener
Administrative Secretary

~~ADOPT NEW-
PERSONNEL CODE~~

~~RECOGNITION OF
OP FOREMAN-
MCATEE~~

~~HOME 2 SUITES-/
PATEL HOTEL~~