

**SUMMIT TOWNSHIP SEWER AUTHORITY
MONTHLY BUSINESS MEETING
MARCH 20, 2014**

The regular monthly business meeting of the Summit Township Sewer Authority was called to order with the Pledge of Allegiance at 9:02 a.m. by Chairman Chris Fette at the Sewer Authority Building, 8890 Old French Road, Erie, Pennsylvania. CALL TO ORDER

Present: Chris Fette, 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: Michael Rose, Vice Chairman. ROLL CALL

Motion by Mr. C. Rose, seconded by Mr. Marsh to approve the minutes of the February 27, 2014 Regular Business Meeting. Vote 4/0. 2/27/14 MINUTES

Motion by Mr. C. Rose, seconded by Mr. Marsh to approve the minutes of the March 5, 2014 Special Joint Meeting. Vote 4/0. 3/5/14 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 reports that a Metes & Bounds description for the Valley View Lift Station has been sent to Sumprop for their review. Solicitor Joseph has been in communication with Attorney Lisa Smith Presta, of MacDonald, Illig, Jones & Britton LLP. Solicitor Joseph expects to receive a signed deed in time for the April 2014 regular meeting. VALLEY VIEW LIFT STATION DEED

Solicitor Joseph reports a signed Letter of Understanding has been received from Travaglini Enterprises regarding estimated loss compensation in connection with easement for the Holiday Inn Lift Station Upgrade Project. The compensation agreed upon at the February 27, 2014 meeting won't be released to Travaglini until construction begins. TRAVAGLINI EASEMENT

Solicitor Joseph has received a Highway Occupancy Permit Indemnification Agreement signed by Giant Eagle for the GetGo Project at the corner of Peach and Hershey. After much discussion between Solicitor Joseph and Giant Eagle regarding the issue of self-insurance, Giant Eagle agreed to have the Authority named as additionally insured by the project contractors. Giant Eagle has since provided the certificates of insurance. GETGO INDEMNIFICATION

**Summit Township Sewer Authority
Monthly Business Meeting
March 20, 2014**

Solicitor Joseph requested an update on the progress of the subdivision of the Swenson parcel, the planned site of the new Holiday Inn Lift Station. Manager Steff reports that Summit Township has approved the subdivision; it now awaits approval from Erie County.

SWENSON PARCEL
(Cont.)

Solicitor Joseph requested an update on the status of the easement dedication regarding the Estates at Five Points development. Solicitor Joseph reminded the Board that when the developer, Marlin Coon Jr., ultimately reached an easement agreement with Leon Wasielewski and the Valley View Homeowners Association, the language of the agreement is not adequate to include a dedication of the easement to the STSA for sewer line maintenance. Solicitor Joseph recommends an easement dedication document to be signed by Marlin Coon Jr. Manager Steff requested clarification from Solicitor Joseph about the language required in the dedication document. Discussion ensued. Solicitor Joseph will prepare a dedication instrument for Manager Steff to mail to Marlin Coon Jr.

ESTATES AT FIVE
POINTS
MAINTENANCE
EASEMENT

ENGINEER'S REPORT

2010 Sewer Extension Project: Engineer Sceiford reports that the Contract 2 (Dorn Road) is still in progress. Engineer Sceiford recommends Payment #5 on Contract 2 to McLallen Construction in the amount of \$13,119.98.

2010 SEWER
EXTENSION
PROJECT

Motion by Mr. C. Rose, seconded by Mr. Welka, to authorize payment #5, Contract 2 to McLallen Construction in the amount of \$13,119.98. Vote 4/0.

CONTRACT 2,
PAYMENT 5

Engineer Sceiford reports that Amendola Development, the contractor for Contract 3 (New Road), is still on winter shut-down until April. Engineer Sceiford estimates that the line has been installed 1/3 of the way to the future New Road lift station.

CONTRACT 3

Engineer Sceiford reports that McLallen Construction has initiated Contract 4 (New Road Pump Station). They are currently installing the sump-pit. The first payment request covers bonds, insurances and some clearing of the site. Engineer Sceiford recommends Payment #1 on Contract 4 to McLallen Construction in the amount of \$5,193.00.

CONTRACT 4

Motion by Mr. Welka, seconded by Mr. Marsh, to authorize payment #1, Contract 4 to McLallen Construction in the amount of \$5,193.00. Vote 4/0.

CONTRACT 4,
PAYMENT 1

Engineer Sceiford reports that a change order is needed for Contract 4 (New Road Pump Station) to extend the existing gravity line from the pump station to the Authority's west property line. The western line will enable the pump station to service future development in that direction. The current plans only go east. The western line starts out as a ductile iron pipe and it will have a valve on it, so it will remain shut until development occurs. The line will end at a manhole on the west property line. The change order includes the new line and the new manhole. Also, the wet-well will have to be cored to accommodate the change. The total change order is \$11,890.00.

CONTRACT 4,
CHANGEORDER 1

APPROVE CHANGE
ORDER 1 TO
CONTRACT 4

GETGO
INDEMNIFICATION
AGREEMENT

Motion by Mr. Marsh, seconded by Mr. C. Rose, to approve Change Order 1 to Contract 4, in the amount of \$11,890.00. Vote 4/0.

MANAGER'S REPORT

Manager Steff presented the Highway Occupancy Permit Indemnification Agreement signed by M. Michele Sponholz, Senior V.P. of Real Estate Development, Giant Eagle, for the GetGo Project at the corner of Peach and Hershey for Board approval. The agreement states that the STSA will be held harmless in the event of an accident during construction in the PennDOT Right-of-Way. Manager Steff reports that the Authority has on file the Certificates of Insurance from the GetGo Project contractor.

Motion by Mr. Welka, seconded by Mr. Marsh, to enter into the Highway Occupancy Permit Indemnification Agreement with Giant Eagle for the GetGo Project. Vote 4/0.

Manager Steff presented a Sanitary Sewer Right-of-Way Agreement signed by Joe Askins of Auto Express Fiat for sewer maintenance at 9070 Peach Street. Manager Steff reports that Auto Express Fiat is planning to build a new car dealership at 9070 Peach Street. In researching the project, it was discovered that the original Sanitary Sewer Right-of-Way Agreement was never recorded when the former owner, Pustelak Masonry, installed sewer line on the property. Manager Steff explained that the Pustelak agreement ended up in limbo after sewer alignment changes due to conflicts with other utilities.

Motion by Mr. C. Rose, seconded by Mr. Marsh, to enter into a Sanitary Sewer Right-of-Way Agreement with Auto Express Fiat. Vote 4/0.

Manager Steff reports that Brandon Boyer has contacted the Authority regarding 8530 Oliver Road. The property can not be served by on-lot disposal. The property is in close proximity to sanitary sewer but Mr. Boyer has been unable to obtain easements from adjacent property owners. Manager Steff recommends using the public right-of-way and a temporary sewer connection agreement. Manager Steff requested Board authorization to pursue a temporary sewer connection agreement with Mr. Boyer and begin engineering work to explore the sewer options for the property.

Motion by Mr. Welka, seconded by Mr. Marsh, to authorize Manager Steff to begin engineering and pursue agreements for a sewer connection at 8530 Oliver Road. Vote 4/0.

Holiday Inn Lift Station Upgrade Project: Manager Steff reports that the route of the sewer line across Bob Stewart's property on Route 97 (40-12-27-12) has changed and will require an additional easement from Mr. Stewart. The revised, expanded easement area will extend across 718 ft. of Mr. Stewart's eastern property line and will be the longest easement on a private property that is not being developed. Based on the anticipated damage to trees and land, and in consideration of the fact that Mr. Stewart's property is already sewerred and will not appreciate with the addition of the force-main,

**Summit Township Sewer Authority
Monthly Business Meeting
March 20, 2014**

Manager Steff recommends the Authority compensate Mr. Stewart. Manager Steff noted that Mr. Stewart has been very cooperative with the Authority. Manager Steff requested Board authorization to extend a Letter of Understanding to Mr. Stewart and compensation for damages in the amount of \$1,000.00.

Motion by Mr. C. Rose, seconded by Mr. Welka, to authorize Manager Steff to extend a Letter of Understanding to Mr. Stewart and offer compensation for construction damages in the amount of \$1,000.00. Vote 4/0.

STEWART LETTER
OF
UNDERSTANDING

Manager Steff reports that residents in the Proctor/Merle/Melvin area of the 2010 Sewer Extension Project have expressed interest in sewer connection. Hill Engineering has issued a letter of substantial completion for the Proctor/Merle/Melvin area, to signify to the Authority that residents are able to connect. Manager Steff recommends that the Board set the connection fee for the project and authorize the issuance of connection notices to Proctor/Merle/Melvin residents. Manager Steff explained that a portion of the connection fee is based on current capacity fees; the capacity fees are adjusted annually; as the capacity fees increase, the connection fee will be adjusted to reflect the change. The project portion for the connection fee is fixed.

2010 SEWER
EXTENSION
PROJECT SEWER
CONNECTIONS

Motion by Mr. Welka, seconded by Mr. C. Rose, to set the connection fee for the 2010 Sewer Extension Project (Proctor/Merle/Melvin, Dorn, and New Roads) at \$7,500.00 per home. Vote 4/0.

SET PROJECT
CONNECTION FEE
\$7,500.00

Motion by Mr. Welka, seconded by Mr. C. Rose, to issue connection notices to residents in the Proctor/Merle/Melvin project area. Vote 4/0.

PROCTOR/MERLE/
MELVIN
CONNECTION
NOTICES

VISITOR COMMENTS

None.

NEW BUSINESS

Manager Steff began discussion regarding property owners who want to pay for a connection now, but do not plan to connect for several years. Currently, there is no set timeline to connect once a permit is issued. 'Curtain checks' are consuming the time of maintenance staff that could be better utilized. Discussion ensued. The Board agreed that the timeline to connect once a permit is issued should be mindful of financing and construction timelines, but eliminate the need for 'curtain checks'. Solicitor Joseph recommended that the Board table the issue for now and bring it back for a vote at a later meeting.

CUSTOMER
PERMIT-BILLING
TIMELINE

Manager Steff reports that the Authority's current policy is to hold the construction bond for a project pending a Certificate of Completion from the developer, per the developer agreement. Manager Steff would like to work with Engineer Sceiford to review the process. Engineer Sceiford added that many projects tend to drift, for example, a system may be operational before the manpans are in place. In cases like these, Engineer

CONSTRUCTION
BONDS

**Summit Township Sewer Authority
Monthly Business Meeting
March 20, 2014**

CONSTRUCTION
BONDS (Cont.)

Sceiford says it may be helpful to issue a Certificate of Substantial Completion, to document what items are done or pending, and to trigger the warranty. Engineer Sceiford would recommend the certificates be presented by Manager Steff at regular meetings, to document a timeline for the warranty period. Manager Steff will work with Engineer Sceiford to revise the terms of construction bonds in standard agreements.

Mr. Marsh began discussion of the updated list of Delinquent Accounts Liened as of June 30, 2013. Mr. Marsh noted that many balances are increasing and asked what the Authority is doing to collect on delinquent accounts. Secretary Haener responded that in February 2013, the Authority sent letters to 70 delinquent accounts; all accounts over 1 quarter past due. The letters informed delinquent customers of the Authority's intent to implement a water shut-off policy. Not all of the letter recipients appear on the lien list because their balances were under the lien threshold. The Authority received 31 responses; 24 delinquent balances have been paid off and 7 customers are still making payments. Among the responses was the son of Rose Yurasko-Stiles, a severely delinquent account, who entered into a compromise agreement with the Authority on October 31, 2013. Discussion ensued regarding the progress of the water shut-off policy and furthering collection efforts, including the option to sheriff's sale.

DELINQUENT
ACCOUNT UPDATE

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

ADJOURNMENT

Chairman Fette adjourned the meeting at 10:43 a.m.

Respectfully submitted by,

Caitlyn Haener
Administrative Secretary