

**SUMMIT TOWNSHIP SEWER AUTHORITY
MONTHLY BUSINESS MEETING
SEPTEMBER 25, 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 Chairman Chris Fette at the Sewer Authority Building, 8890 Old French Road, Erie, Pennsylvania. CALL TO ORDER

Present: Chris Fette, Chairman; Michael Rose, Vice Chairman; Cloyd J. Rose, Secretary; Laban Marsh, Ass't Secretary; William C. Steff, P.E., Manager; Douglas Sceiford, P.E., Hill Engineering; George Joseph, The Quinn Law Firm; and Caitlyn Haener, Administrative Supervisor. Visitors: Jack Lee, Summit Township Supervisor; Resident Don Czerwinski, 2820 Hiabach Drive; Residents Brad and Diane Ropey, 2285 Dorn Road; Resident Tim Haaf, 555 Melvin Road. ROLL CALL

Motion by Mr. C. Rose, seconded by Mr. Marsh to approve the minutes of the August 28, 2014 Regular Business Meeting. Vote 4/0. 8/28/14 MINUTES

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

RESIDENTS TO BE HEARD

Don Czerwinski, 2820 Hiabach Drive, reports that he is having groundwater problems in his yard. Mr. Czerwinski stated that he believes the water is coming from the gravel bedding surrounding the sanitary sewer. Manager Steff reports that the sanitary sewer bedding is 12 feet below grade; there are other utilities, including a fire hydrant, on Mr. Czerwinski's property. It is unclear if the possibility of water leak has been exhausted. Discussion ensued regarding testing procedures and price quotes from third party drilling specialists. If the Authority wants to pursue the issue, Engineer Sceiford recommends the Authority consult an expert, such as Ground Water Resources, to determine the best test and offer an opinion. The Board agreed that the Authority should contact an expert for an opinion. CZERWINSKI
(2820 HIABACH)

Brad Ropey, 2285 Dorn Road, is a 2010 Sewer Extension Project resident. Mr. Ropey is the first to apply for an exemption from connection, based on Township Ordinance 2011-01 that allows for exemptions from mandatory connection when the structure is in excess of 300 feet from the sewer system and is being served by a properly functioning on-lot disposal system as documented by a State Certified Sewage Enforcement Officer. Mr. Ropey expressed frustration with the process. Mr. Ropey objects to being required to hire a State Certified Sewage Enforcement Officer because he has had difficulty finding one and he fears it will be expensive; Mr. Ropey would rather hire a home inspector. Further, Mr. Ropey would need time to prepare his property before he could connect to the lateral; ROPEY
(2285 DORN)

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ROPEY
2285 DORN
(Cont.)

Chairman Fette assured Mr. Ropey that the Board would allow him a reasonable amount of time to connect if his septic system fails. Chairman Fette instructed the Ropeys to pay sewer rental until they are granted a connection exemption, at which time they will be refunded any sewer rent paid. Chairman Fette addressed Mr. Ropey's questions regarding the Prepayment Agreement. Discussion ensued regarding Township Ordinance 2011-01, with emphasis on the SEO requirement. Solicitor Joseph reminded the Board that in 2011, the STSA Board directed Solicitor Joseph to write to the Township Supervisors requesting they eliminate the set-back exemption, which was 150 feet at the time. The Supervisors changed the set-back exemption to 300 feet. Solicitor Joseph asked if there was any interest among the Board members in requesting the Supervisors amend Ordinance 2011-01. Engineer Sceiford recommended the set-back exemption be eliminated. The Board agreed to table discussion for now. Manager Steff will continue to assist Mr. Ropey through the exemption application process as the ordinance is written. The Board will reexamine the issue at a future meeting when the implications of the SEO certification process may be clearer. Mr. Ropey agreed to contact the SEO previously recommended by Manager Steff.

Mr. Welka arrived at the meeting at 11:00 a.m.

SOLICITOR'S REPORT

Solicitor Joseph reported that he's been in contact with Summit Township Solicitor Sennett regarding the mandatory connection ordinance. This topic was thoroughly discussed earlier in the meeting.

MANDATORY
CONNECTION

Solicitor Joseph reports that he has researched the issues raised at the prior meeting regarding homeowners doing their own sewer connection work. Solicitor Joseph recommends the Authority warn homeowners that homeowners' insurance would not likely cover claims resulting from do-it-yourself sewer connections. Manager Steff added that Engineer Clay Falls is not able to make a single exhibit featuring OSHA compliant excavation due to numerous soil types and other variables. Supervisor Jack Lee added that OSHA regulates contractors, but not homeowners. Manager Steff recommends that OSHA references be added to the Authority's Rule & Regulations and/or Construction Standards because any trench an STSA employee goes into must be safe. Manager Steff reports that some municipalities are hiring contractors to connect homeowners, and then assessing the homeowner for the work. Engineer Sceiford recommends adding language to the Rules & Regulations to advise homeowners to make sure their insurance will cover the work or that their contractor has insurance; Also, that our inspector may need to get into the trench and if he does, the trench needs to meet certain safety standards. The Board agreed to get further input from Operations Foreman McAtee.

INSPECTION SITE
SAFETY
CONCERNS

Solicitor Joseph reports that the owner of a property liened by the Authority for approximately \$1,800 for unpaid sewer rental fees has filed for Chapter 13 bankruptcy. Solicitor Joseph's office has filed a proof of claim. The Authority can reasonably expect to be repaid over 5 years.

PROOF OF CLAIM
FILED

ENGINEER'S REPORT

Engineer Sceiford reports that the design of the Route 97 Lift Station Project is on schedule; Engineer Fails has provided preliminary drawings to the Authority. Permit applications will begin this fall and winter.

ROUTE 97 LIFT
STATION PROJECT

Engineer Sceiford reports that he will soon begin working with Manager Steff on the plan review for Best Western.

BEST WESTERN

MANAGER'S REPORT

Manager Steff reports that it is the Authority's practice to charge sewer rental fees to homes in project areas whether or not they are connected to the sanitary sewer system. The Municipal Authorities Act of 1945, Section 5607D9, as amended, authorizes the Authority to impose the fees. Solicitor Joseph added that a recent ruling elaborated on the justification for the charges, saying that not imposing the charges could be a burden on the sewer authority because the authority is counting on the new revenue from project area residents to support the sewer system. Manager Steff requested the Board consider whether or not the Authority should charge sewer rental in cases where the Authority grants connection exemptions, for example, in bona-fide hardship cases and/or in qualified set-back cases. Discussion ensued. The Board directed Solicitor Joseph to write an addition to the Rules and Regulations for adoption at a future meeting.

SEWER RENTAL
FEES FOR
UNCONNECTED
RESIDENCES

Manager Steff reports that 10 of 14 Dorn Road residents have not yet connected to the sewer extension on Dorn Road, although 12 have paid. As stated in the connection packets mailed to each resident, the deadline for payment and connection was September 12, 2014. Residents in the area have reported problems due to wet conditions and scheduling contractors that have extended many beyond the deadline. Ordinance 72-8 grants the authority to fine residents who fail to connect by the deadline. Manager Steff asked the Board if they would like to grant an extension of the deadline for connections. Discussion ensued.

DORN ROAD
CONNECTION
UPDATE

Motion by Mr. M. Rose, seconded by Mr. C. Rose, to extend the Dorn Road connection deadline 90 days from September 12, 2014 to December 12, 2014. Vote 4/0/1 in favor, Mr. Marsh abstained.

EXTEND DORN
CONNECTION
DEADLINE

Manager Steff reports that Administrative Supervisor Haener has shopped local CD and savings rates. The Authority's current savings account at PNC earns 0.20%. Rates for savings accounts at Erie Bank and Northwest Savings Bank offered higher rates than short-term CDs. Savings accounts at Erie Bank offer 0.38%; Savings accounts at Northwest Savings Bank offer 0.30%. Manager Steff requests authorization to transfer \$1,000,000 from savings at PNC to savings accounts at Erie Bank.

INVESTMENT
RATES

Motion by Mr. M. Rose, seconded by Mr. C. Rose, open savings accounts at Erie Bank and to transfer \$1,000,000 General Fund savings to savings accounts at Erie Bank. Vote 5/0.

TRANSFER FUNDS
TO ERIE BANK

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Manager Steff reports that further investigation has determined that the back-up pump considered for the Route 97 Lift Station will not work; the depth of the lift station is prohibitive to the desired pumping capability. The design plan has reverted back to the back-up electric generator.

ROUTE 97 LIFT
STATION BACK-
UP PLANS

NEW BUSINESS

Solicitor Joseph requests an executive session to discuss possible litigation regarding a damage claim at 8931 Peach Street.

Motion by Mr. Marsh, seconded by Mr. M. Rose, to enter an executive session to discuss possible litigation regarding a damage claim at 8931 Peach Street. Vote 5/0.

EXECUTIVE
SESSION

Chairman Fette reconvened to regular session at 11:28 a.m.

Manager Steff reports that the STSA Personnel Code requires Board approval for an employee to carry over any vacation days in excess of 5 days. Manager Steff had a total of 13 vacation days as of December 31, 2013.

Motion by Mr. Marsh, seconded by Mr. M. Rose, to approve carryover of Manager Steff's vacation days, including 7 excess vacation days, into calendar year 2014. Vote 5/0.

VACATION
CARRYOVER

Mr. Welka asked Manager Steff if the Authority was going to create a bill-insert regarding basement back-up insurance riders to better inform sewer customers. Mr. Welka stated that he feels it is important for customers with basement service to understand the risks. Manager Steff responded that he plans to do some research and will address the topic in the 4th Quarter Township Newsletter to residents.

BASEMENT
SERVICE
ADVISORY

With no further business to come before the Board, Mr. M. Rose, motioned to adjourn, seconded by Mr. Marsh. Vote 5/0.

ADJOURNMENT

Chairman Fette adjourned the meeting at 12:31 p.m.

Respectfully submitted by,

Caitlyn Haener
Administrative Supervisor