

**SUMMIT TOWNSHIP SEWER AUTHORITY
MONTHLY BUSINESS MEETING
FEBRUARY 27, 2020**

The regular monthly business meeting of the Summit Township Sewer Authority was called to order with the Pledge of Allegiance at 9:10 a.m. at the Sewer Authority Building, 8890 Old French Road, Erie, Pennsylvania. CALL TO ORDER

Present: Chris Fette, Chairman; Michael Rose, Vice Chairman; Laban Marsh, Secretary; Cloyd J. Rose, Ass't Secretary; Mark Welka, Treasurer; William C. Steff, P.E., Manager; George Joseph, The Quinn Law Firm; Chad Yuriscic, P.E., Greenman-Pedersen; Caitlyn Haener-Schwab, Administrative Supervisor. Visitors: none. ROLL CALL

Motion by Mr. C. Rose, seconded by Mr. M. Rose, to approve the minutes of the January 30, 2020 Reorganization Meeting. Vote 5/0. 1/30/20 REORG
MINUTES

Motion by Mr. M. Rose, seconded by Mr. Marsh, to approve the minutes of the January 30, 2020 Regular Business Meeting. Vote 5/0. 1/30/20 REGULAR
MINUTES

Motion by Mr. Welka, seconded by Mr. M. Rose, to approve the Treasurer's Report as submitted to and reviewed by all Board members. Vote 5/0. TREASURER'S
REPORT

Motion by Mr. Welka, seconded by Mr. Marsh, to approve the Expenditure Report as submitted to and reviewed by all Board members. Vote 5/0. EXPENDITURES

SOLICITOR'S REPORT

Solicitor Joseph reports that the Zoning Hearing Board granted the requested set-back variance for the Oliver Road Lift Station Upgrades Project at their February 25, 2020 meeting. Solicitor Joseph has prepared an agreement to move forward with the acquisition of some extra land adjacent to the current site, needed for the upgraded lift station. OLIVER RD L.S.
ZONING HEARING

Solicitor Joseph reports that he is working on a response to the ongoing Summit Township zoning ordinance revisions project regarding the sections defining essential services and performance standards. ZONING
ORDINANCES

Solicitor Joseph reports that the I&I Investigation in the Route 97 corridor revealed a National Fuel Gas cross-bore through a sewer line on Robison Road in the vicinity of Lakeview Landfill. In the field, agents of NFG reassured STSA Operations staff that NFG would pay for the repair if the Authority made the repairs and then submitted a reimbursement request to NFG. Instead, NFG denied the Authority's request for reimbursement in the amount of \$7,884.74. NFG responded that the gas line was installed in 1986 and they are protected by the Pennsylvania twelve-year statute of repose, which means that they are not liable for the damage to the sewer line because it's been more than twelve years since construction was completed on the gas line. NFG offered a 25% settlement payment of \$1,971.19 to the Authority. Solicitor Joseph advised that NFG is NATIONAL
FUEL GAS
CLAIM DENIED

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technically, legally correct about the twelve-year statute of repose, but the settlement payment should be negotiated.

NFG CLAIM
(Cont.)

Solicitor Joseph reports that he responded to a question about the Abington Crest Lift Station deed from Manager Steff. Abington Crest has contacted the Authority regarding installing a fire egress from the west side of their facility to the Abington Crest Lift Station site. The Authority owns the lift station site even though there is no deed. The site was taken by eminent domain and there is a metes and bounds description in the declaration of taking filed with the Erie County Courthouse.

ABINGTON CREST
LIFT STATION
DEED

Solicitor Joseph reports that the Authority received \$954.83 in full payment of lien on the Florence Wander property (1741 Robinson Road), following a Sherriff's sale in January.

WANDER
1741 ROBISON RD

ENGINEER'S REPORT

Engineer Yurisc reported that the Oliver Road Lift Station Upgrades Project planning module will be submitted to the DEP once the township approves the plans. Engineer Yurisc will submit the Step Two permit and approval will likely take six months. Discussion ensued.

OLIVER RD L.S.
UPGRADES
PROJECT

Engineer Yurisc reported that he has prepared an amendment for the Act 57 Schedule of Fees adopted January 2020. The Act 57 Schedule of Fees February 2020 Amendment has been distributed to all Board Members for review and comment. The current schedule of fees does not account for planned borrowing for the Oliver Road Lift Station and Oliver Road Gravity Upgrades Projects. Engineer Yurisc added 50% financing to the recalculation. Engineer Yurisc explained how borrowing and financing have the effect of lowering the tap fees in a project area.

JAN 2020
ACT 57 FEES
AMENDMENT

Motion by Mr. M. Rose, seconded by Mr. Marsh, to adopt the February 2020 Amendment to the January 2020 Act 57 Schedule of Fees, which recalculates for planned borrowing for the Oliver Road projects. Vote 5/0.

ADOPT ACT 57
AMENDMENT

MANAGER'S REPORT

Manager Steff reports that Konzel Construction submitted Payment Application #3 for the Meadows Lift Station Upgrades Contract in the amount of \$14,457.74. Engineer Yurisc reviewed the payment application and recommended payment. On February 4, 2020, Manager Steff polled the Board for approval. Following the affirmative approval poll, the payment was issued to Konzel Construction. Manager Steff recommends that the Board ratify the poll.

MEADOWS L.S.
UPGRADES
PROJECT

Motion by Mr. Welka, seconded by Mr. Marsh, to ratify the February 4, 2020 poll to approve Payment Application #3 for the Meadows Lift Station Upgrades Contract to Konzel Construction in the amount of \$14,457.74. Vote 5/0.

RATIFY POLL TO
AUTHORIZE
PAYMENT #3

Manager Steff reports that the Zoning Hearing Board hearing for a variance at the Oliver Road Lift Station site was successful. The Zoning Hearing Board granted a 57 foot front

OLIVER L.S.
VARIANCE
GRANTED

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yard variance to allow for the construction of the new lift station and building to be located 43 feet from the centerline of Oliver Road.

VARIANCE
(Cont.)

Manager Steff reports that the application for a STIEDA loan to partially recapitalize funds used for the Meadows Lift Station Upgrades was successful. Manager Steff attended the February 24, 2020 STIEDA meeting and Manager Steff reports that the STIEDA Board approved a loan to the Authority for \$400,000.00. STIEDA Solicitor Sennett will draft a promissory note that will be reviewed by Solicitor Joseph.

STIEDA LOAN
APPLICATION
APPROVED

NEW BUSINESS

None.

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 9:30 a.m.

Respectfully submitted by,

Caitlyn Haener-Schwab
Administrative Supervisor