

**SUMMIT TOWNSHIP SEWER AUTHORITY
MONTHLY BUSINESS MEETING
OCTOBER 29, 2015**

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; Laban Marsh, Secretary; Cloyd J. Rose, Ass't Secretary; Mark Welka, Treasurer; William C. Steff, P.E., Manager; Clayton J. Fails, P.E., Hill Engineering; George Joseph, The Quinn Law Firm; Caitlyn Haener, Administrative Supervisor. Visitors: Leon, Elda and Lee Wasielewski, David Lasher, John Willow, Jim Welka. Absent: Chris Fette, Chairman ROLL CALL

Motion by Mr. C. Rose, seconded by Mr. Marsh to approve the minutes of the September 24, 2015 Regular Business Meeting. Vote 4/0 9/24/15 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. Marsh to approve the Expenditure Report as submitted to and reviewed by all Board members. Vote 4/0 EXPENDITURES

RESIDENTS TO BE HEARD

Mr. John Willow (7221 Edinboro Rd), appealed to the Board to extend the existing sewer line south on Route 99 (Edinboro Road) from just beyond the Niagara Plastics property through the intersection of Route 99 and Hershey Roads. Mr. Willow distributed a 2 page exhibit (attached), both maps of the area. Mr. Willow stated that the west side of Summit Township is underserved and probably has a high failure rate. Mr. Willow proposed that the existing lines are deep enough to serve much of the area by gravity; if no lift stations are needed, the cost of the extension project is reduced. WILLOW:
ROUTE 99
EXTENSION
REQUEST

Mr. Willow stated that PA DOT is planning an intersection improvement project at Route 99 and Hershey for 2016-2017; the intersection will be widened and turning lanes will be added. Mr. Willow suggested that the Authority should partner with PA DOT to plan an extension project along with the intersection improvement project. Manager Steff responded that it would not benefit the Authority to partner with PA DOT in this case; only existing utilities qualify for cost sharing, when any utility is placed in a PA DOT ROW it is always in jeopardy of being required to move at a later date, so the Authority is better off in the long-run to build outside of the PA DOT ROW. In addition, the Authority already has a lot of projects to consider in the near future, such as the proposed Connection Compliance Project.

Mr. Willow compared the population density of his proposed area to that of the recent extension areas on Dorn and New Roads. Manager Steff responded that the extensions on Dorn and New Roads were selected based on known failure rates; according to the

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Authority's most recent information, the highest known failure rate now is on Lee Road.

Mr. Willow described Palermo's future Copperleaf Project on Zuck Road; he believes Palermo will start the project in the spring of 2016. Copperleaf applied for a planning module exemption for 116.5 EDUs. Mr. Willow proposed that the Authority could use the tapping fees received from the Copperleaf project to subsidize the extension project for the residents in the area. Manager Steff responded that there is no Developer Agreement for Copperleaf yet. Mr. Willow believes that, with the Copperleaf tap-fee subsidy and no lift station, the connection fee per resident would not exceed \$7,500. Further, Mr. Willow stated that a lot of property in the area is owned by the Willow Family and the Willow Family is willing to pre-pay tap fees to offset project costs up front.

Vice Chairman Rose said that, in light of the Copperleaf Project, Mr. Willow's extension request is worth looking into. The Board directed the Engineer to review the comprehensive plan and determine the feasibility of smaller phased construction project along Hershey Road.

Mr. Willow left the meeting at 9:33 a.m.

Mr. Leon Wasielewski, Developer of the Eldaberry Woods Subdivision Project on New Road, requested an update on the wetlands issue with DEP and the New Road Lift Station. Manager Steff replied that the Authority received a Notice of Violation from the DEP regarding the New Road Lift Station site. The DEP Inspection Report states that the lift station site disturbed .13 acres, though it was only permitted for .05 acres. The Authority has two options to consider. The first option is to remediate the encroachment of the lift station footprint back down to the permitted .05 acre area; this option would require earthwork, pavement removal and wetlands planting. The second option is to partner with the Eldaberry Woods Project and mitigate the combined encroachment of .14 acres at 2:1 ratio at an alternate site; there are many variables involved in this option. Engineer Fails has started investigating the costs of both options. Engineer Fails recommends that it is in the best interest of the Authority to leave the lift station as-is. Mr. Wasielewski stated that he is willing to work with the Authority on a joint permit and mitigation. Solicitor Joseph added that the Authority may have a third option: to pay the DEP for the violation, but that option may be unlikely now that the Notice of Violation has been issued. The Authority must respond to the Notice of Violation by November 5, 2015. Once the cost estimates come in, Manager Steff will meet with Mr. Wasielewski to further discuss the mitigation option prior to the November regular business meeting.

Jim Welka and Leon, Elda and Lee Wasielewski left the meeting at 9:45 a.m.

Mr. David Lasher (2833 Flower Road) would like to connect his residence to sewer. Mr. Lasher's property is adjacent to Helen Rock (2835 Flower Road). Mrs. Rock's property has a manhole from a planned STSA project that was later abandoned. Mr. Lasher has spoken to Mrs. Rock and she is willing to grant the necessary easement. Manager Steff explained that the original project (in 9/1991) left a small gap in the

WILLOW:
ROUTE 99
EXTENSION
REQUEST
(Cont.)

ELDABERRY
WOODS / NEW
ROAD LIFT
STATION
DEP UPDATE

LASHER
2833 FLOWER RD
CONNECTION
REQUEST

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system; therefore the STSA failed to meet the Kevin Brown Rule (in 6/1991) by not extending the sewer line to Mrs. Rock's property line with Mr. Lasher. Manager Steff recommended cost sharing: Mr. Lasher would hire the contractor and the STSA would pay for the Rock property portion of the proposed extension to correct the system gap. Manager Steff recommends that Mr. Lasher enter into a Developer Agreement. Once there is a Developer Agreement, the Authority will direct HEI to begin the design work. Mr. Lasher responded that he wants to start a Developer Agreement.

LASHER
CONNECTION
REQUEST (Cont.)

Mr. Lasher left the meeting at 10:22 a.m.

SOLICITOR'S REPORT

Solicitor Joseph reports that he reviewed IRS form 8038-G received by the Authority regarding the recent \$1.2M note with PNC Bank for the Route 97 Lift Station Project. PNC Bank counsel submitted the wrong Federal Tax ID for the Sewer Authority in the standard reporting to the IRS. The form received by the Authority from the IRS indicates that the IRS fixed the error.

IRS FORM 8038-G

Solicitor Joseph reports that he has been working with Manager Steff and Attorney Paul Burroughs on the Notice of Violation received from the DEP regarding the New Road Lift Station.

DEP NOTICE OF
VIOLATION

Solicitor Joseph reports that he has been working on the Temporary Easement Agreement with Taco Bell to allow for staging during construction of the Route 97 Lift Station.

RT 97 L.S. – TEMP
EASEMENT

ENGINEER'S REPORT

Engineer Fails reports that Route 97 Lift Station Project Contract 1 (General Construction of the Pump Station) is making progress. The contractor has begun excavation and has expressed appreciation for the Authority's work to obtain a Temporary Easement Agreement with Taco Bell. The Contractor has submitted the first payment request in the amount of \$245,542.96. Engineer Fails recommends authorization of the payment. Solicitor Joseph recommends the Board authorize Vice Chairman Rose to sign the payment request on behalf of the Authority.

ROUT 97 LIFT
STATION PROJECT
UPDATE

Motion by Mr. Welka, seconded by Mr. Marsh, to authorize Payment 1 on Contract 1 to G.M. McCrossin in the amount of \$245,542.96 and to authorize Vice Chairman Rose to sign the authorization form. Vote 4/0.

AUTHORIZE
CONTRACT 1,
PAYMENT 1

MANAGER'S REPORT

Manager Steff reports that the 2002 Chevy Silverado has been advertised for bids and the bid opening will occur November 2, 2015. The truck comes with a Fisher V-Plow and Rhino Bed Liner; Manager Steff worked with the staff to establish the minimum acceptable bid of \$8,990. Interest in the vehicle looks promising: three bids have been received and there are still a couple of bid packets out. Manager Steff requested authorization from the Board to proceed with the sale of the truck to the highest bidder over \$8,990.

SALE OF 2002
CHEVY PLOW
TRUCK

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Motion by Mr. Marsh, seconded by Mr. C. Rose, to authorize the sale of the 2002 Chevy Silverado Plow Truck to the highest qualified bidder over the minimum bid requirement of \$8,990. Vote 4/0

SALE OF 2002
CHEVY PLOW
TRUCK (Cont.)

In order to complete the title transfer, Manager Steff requested a letter signed by the Board to certify that he is authorized to sell the 2002 Chevy Silverado Plow Truck.

Motion by Mr. Welka, seconded by Mr. Marsh, to authorize a signed letter to certify Manager Steff's authorization to sell the 2002 Chevy Silverado Plow Truck. Vote 4/0

AUTHORIZE
MANAGER TO SELL
CHEVY TRUCK

Manager Steff reports that Don Czerwinski (2820 Haibach Drive) contacted the Authority regarding the surface water problems on his property and reported that he has new evidence to suggest that STSA infrastructure is causing the problem. At Mr. Czerwinski's request, Manager Steff and Operations Foreman McAtee met with Mr. Czerwinski, his wife and his neighbor; they walked the area near Mr. Czerwinski's home. Manager Steff reports that Mr. Czerwinski did not present any new evidence that the water is originating from the sanitary sewer bedding. Manager Steff observed that Mr. Czerwinski has implemented Rademacher's storm-water management recommendations, made at the October 30, 2014 Regular Business Meeting. Manager Steff observed improvements to swales and storm drain piping that was extended by Mr. Czerwinski. Mr. Czerwinski is requesting that the Authority perform a test to determine the head on groundwater in the area; further, he believes that the Authority should reimburse him for the drainage improvements he's made to his property. Manager Steff considered two different tests: one would require drilling into the manhole, the other would be to hire a contractor to drill a monitoring well over the sewer main nearby. Manager Steff presented the tests to the Board in detail. Discussion ensued. Manager Steff reported that Mr. Czerwinski has refused to sign a reimbursement agreement for the cost of the testing if testing proves that the STSA is not causing the water problem. Solicitor Joseph advised the Board that the burden of proof should be on the land owner. The Board declined to take any action because Mr. Czerwinski has not presented new evidence.

CZERWINSKI
2820 HAIBACH DR
SURFACE WATER

Manager Steff reports that Tony Locastro (2370 Dorn Road) has requested a change in the plan to replace the trees that were damaged during the 2010 Sewer Extension Project. Mr. Locastro is requesting that the Authority install 6 new trees in front of the existing, damaged pine trees. The original agreement was that the Authority would remove the damaged trees then plant new trees; the change is the less costly option. Manager Steff reports that it would cost the Authority \$2,550 in total to remove the old trees and plant new trees. If the Authority just plants new trees the estimated cost is \$1,850. Manager Steff recommends that the Authority authorize the change contingent on Mr. Locastro waiving any liability on behalf of the Authority should the existing trees die in the future. Solicitor Joseph will draft a release for Mr. Locastro to sign.

LOCASTRO
2370 DORN RD
TREES

Motion by Mr. Welka, seconded by Mr. C. Rose, to authorize the installation of 6 new trees for \$1,850 at 2370 Dorn Road, contingent on

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LOCASTRO
2370 DORN RD
TREES (Cont.)

Mr. Locastro waiving any liability on behalf of the Authority should the existing trees die in the future. Vote 4/0

Manager Steff reports that the Authority has received the Temporary Sanitary Sewer Construction Right-Of-Way Agreement from Charter Foods North, LLC regarding the Taco Bell at 8050 Perry Highway and the construction of the Route 97 Lift Station.

RT 97 L.S.
CONSTRUCTION
EASEMENT WITH
TACO BELL

Motion by Mr. Welka, seconded by Mr. Marsh, to enter into the Temporary Sanitary Sewer Construction Right-Of-Way Agreement with Charter Foods North, LLC at 8050 Perry Highway. Vote 4/0

NEW BUSINESS

None.

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

ADJOURNMENT

Vice Chairman M. Rose adjourned the meeting at 11:09 a.m.

Respectfully submitted by,

Caitlyn Haener
Administrative Supervisor