

**SUMMIT TOWNSHIP SEWER AUTHORITY  
MONTHLY BUSINESS MEETING  
SEPTEMBER 29, 2022**

The regular monthly business meeting of the Summit Township Sewer Authority was called to order with the Pledge of Allegiance at 9:00 a.m. at the Sewer Authority Building, 8890 Old French Road, Erie, Pennsylvania. CALL TO ORDER

Present: Chris Fette, Chairman; Mark Welka, Treasurer; Michael Andrus, Ass't Secretary; William C. Steff, P.E., Manager; Solicitor George Joseph, The Quinn Law Firm; Chad Yurisc, P.E., Greenman-Pedersen; and Caitlyn Haener-Schwab, Administrative Supervisor. Absent: Michael Rose, Vice Chairman; and Laban Marsh, Secretary. Visitors: Scott Henry, Chivers Construction; and Rob Fugate, Konzel Construction. ROLL CALL

Engineer Yurisc opened the sealed bids received for Contract 2022-1: Old Perry Relief Sewer – General Construction – Installation of approximately 1,700 feet of 14” HDPE pipe, and 350 feet of 15” PVC gravity sewers. Two qualified bids were received: BID OPENING:  
CONTRACT 1

Chivers Construction base bid \$907,921.00  
Konzel Construction base bid \$899,000.00

Engineer Yurisc opened sealed bids received for Contract 2022-3: Connection Assistance Project –General Construction – Installation of seventeen 1 ¼-inch HDPE low pressure sewer laterals and sixteen 6-inch PVC gravity sewer laterals. Two qualified bids were received: BID OPENING:  
CONTRACT 3

Chivers Construction base bid \$804,484.00  
Konzel Construction base bid \$870,000.00

Discussion of the bid results ensued. The Board directed the Engineer and the Manager to review the bid details and provide recommendations.

Motion by Mr. Andrus, seconded by Mr. Welka, to approve the minutes of the August 25, 2022 Regular Business Meeting. Vote 3/0. 8/25/22 MINUTES

Motion by Mr. Marsh, seconded by Mr. Andrus, to approve the Treasurer’s Report as submitted to and reviewed by all Board members. Vote 3/0. TREASURER’S  
REPORT

Motion by Mr. Andrus, seconded by Mr. Marsh, to approve the Expenditure Report as submitted to and reviewed by all Board members. Vote 3/0. EXPENDITURES

**ENGINEER’S REPORT**

Engineer Yurisc presented a Change Order request for an extension in time for Oliver Road Pump Station Replacement Project Contract 3, Ray Showman Excavating. Engineer Yurisc explained that representatives from Showman have been regularly communicating about supply chain issues. Engineer Yurisc reported that the lift station OLIVER ROAD  
LIFT STATION  
CONTRACT 3

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will not be available for several months. Engineer Yurisc explained that the substantial completion deadline is currently October 15, 2022. Engineer Yurisc recommended that the Board approve an extension in time for substantial completion to June 30, 2023 and a final completion deadline of July 31, 2023.

OLIVER ROAD  
LIFT STATION  
CONTRACT 3

Motion by Mr. Welka, seconded by Mr. Andrus, to approve Change Order for Oliver Road Pump Station Replacement Project Contract 3, Ray Showman Excavating to extend the substantial completion deadline to June 30, 2023 and the final completion deadline to July 31, 2023. Vote 3/0.

CHANGE ORDER  
APPROVED TO  
EXTEND TIME

The Engineer distributed and presented the Oliver Road Upgrades Summary of Costs to Date as of September 2022. Engineer Yurisc emphasized that the engineering expenses are under budget, particularly the design expenses were only 33% of the original budgeted amount. Engineer Yurisc explained that the following amounts of the original contract prices have been billed to date: Contract 1 is 13% complete; Contract 2 is 97% complete; Contract 3 is 0% complete. Discussion ensued.

OLIVER ROAD  
UPGRADES

Engineer Yurisc reported that he will begin to prepare the first draw on behalf of the Authority from the Penn Vest funding approved in 2021.

PENN VEST

**MANAGER'S REPORT**

Manager Steff recommended that the Board adopt the Audit Report for the Fiscal Year Ending June 30, 2022 as prepared by Nathan Marzka, CPA at McGill, Power, Bell & Associates. Manager Steff reported that the Audit Committee concurs with the recommendation. Manager Steff added that the Auditors have issued an unmodified opinion and the Audit Report has been distributed to all Board Members.

AUDIT REPORT  
FYE 2021-2022

Motion by Mr. Welka, seconded by Mr. Andrus, to adopt the Annual Audit Report prepared by McGill, Power, Bell & Associates for Fiscal Year End June 30, 2022. Vote 3/0.

ADOPT ANNUAL  
AUDIT REPORT

Manager Steff recommended forgiveness of Dan Kress (9331 Peach Street) Developer Escrow overage related to PennDOT Highway Occupancy Permit. Manager Steff described that normally non-developers building a single-family home for their own use enter into an Administrative Fee agreement and pay a non-refundable deposit of \$500.00. Manager Steff explained that the project to build a single-family home at the site required that Mr. Kress had to get a PennDOT Highway Occupancy Permit. Mr. Kress entered into an Administrative Fee agreement and paid the deposit. However, the engineering expense for his HOP application exceeded the amount deposited. Manager Steff is recommending that the Board forgive the overage of \$1,511.00. Manager Steff reported that going forward any project requiring a PennDOT HOP will also be required to enter into a full Developer Agreement.

KRESS  
(9331 PEACH ST)

Motion by Mr. Andrus, seconded by Mr. Welka, to grant forgiveness to Mr. Kress of engineering fees in the amount of \$1,511.00. Vote 3/0.

FORGIVE  
ESCROW  
OVERAGE

Mr. Welka left the meeting for another commitment at 9:34 a.m.

**SOLICITOR’S REPORT**

Solicitor Joseph updated the Board regarding easement agreements with property owners related to the Connection Assistance Project. Solicitor Joseph initiated condemnation proceedings for an easement at 6830 Cherry Street Extension per the Board directive at the August 25, 2022 Regular Business Meeting. Solicitor Joseph reported that the owner of the property, Mr. Kolesnichenko, was served notice of the eminent domain proceeding on August 30, 2022 and he has the right to file an objection within 30 days. Solicitor Joseph explained that because this action is for an easement, the Authority has the right of entry to use the easement without any further action on the part of Kolesnichenko at this point.

EMINENT  
DOMAIN  
KOLESNICHENKO  
6830 CHERRY EXT.

Solicitor Joseph reported that he received notice of a Sheriff’s sale scheduled for October 16, 2022 at 7450 Old Perry Highway (Kuzdzal). Solicitor Joseph submitted a claim for the delinquent sewer balance owed. The Sheriff’s sale has been postponed to November.

KUZDZAL  
7450 OLD PERRY

Solicitor Joseph reported that he sent an Act One notice to Jeffrey Nuber for the delinquent balance of \$505.08 due for service at 9170 Peach Street. Mr. Nuber paid in full so no further action is required.

NUBER  
9170 PEACH ST

Solicitor Joseph reported that on Monday, August 29, 2022 he received a call from Attorney Joe Caulfield, representing National Fuel Gas. NFG expressed concern about the pipe bursting method being used to install new gravity sewer on Oliver Road. NFG did not have prior experience with the pipe bursting method, and they were concerned about how NFG transmission lines on Oliver Road might be impacted. On Tuesday August 30, 2022, NFG filed a complaint for declaratory relief and an emergency preliminary injunction. Solicitor Joseph participated in a hearing before Judge Piccinini that afternoon. The judge denied the temporary injunction and a hearing was scheduled for Friday, September 2, 2022. In the meantime, Manager Steff held meetings between NFG and representatives from Terra Works to work out acceptable parameters. The parties agreed that additional potholing would be acceptable. NFG was satisfied with resolution reached at the meeting and withdrew their request for preliminary injunction. Discussion ensued.

OLIVER ROAD  
GRAVITY SEWER  
UPGRADES:  
NFG DISPUTE AND  
RESOLUTION

Solicitor Joseph reviewed changes to the personnel code proposed by Manager Steff.

**NEW BUSINESS**

None.

With no further business to come before the Board, Mr. Andrus motioned to adjourn, seconded by Mr. Marsh. Vote 3/0.

ADJOURNMENT

Chairman Fette adjourned the meeting at 9:49 a.m.

Respectfully submitted by,  
Caitlyn Haener-Schwab  
Administrative Supervisor