

**SUMMIT TOWNSHIP SEWER AUTHORITY
MONTHLY BUSINESS MEETING
MAY 30, 2024**

The regular monthly business meeting of the Summit Township Sewer Authority was called to order with the Pledge of Allegiance at 9:07 a.m. at the Sewer Authority Building, 8890 Old French Road, Erie, Pennsylvania.

CALL TO ORDER

Present: Chris Fette, Chairman; Laban Marsh, Secretary; Mark Welka, Treasurer; Michael Andrus, Asst. Secretary; William C. Steff, P.E., Manager; Chris Hodge, Assistant Project Manager/GIS Technologist; Solicitor George Joseph, The Quinn Law Firm; Jeff Kordes, P.E., Greenman-Pedersen; and Wendy Burbules, Administrative Supervisor. Absent: Michael Rose, Vice Chairman. Visitors: None.

ROLL CALL

Motion by Mr. Andrus, seconded by Mr. Marsh, to approve the minutes of the April 25, 2024, Regular Business Meeting. Vote 4/0.

04/25/24 MINUTES

Motion by Mr. Welka, seconded by Mr. Andrus, 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. Andrus, to approve the Expenditure Report as submitted to and reviewed by all Board members. Vote 4/0.

EXPENDITURES

SOLICITOR'S REPORT

Solicitor Joseph is reviewing the documents sent over for the PennDot Relocation Reimbursement Agreement. STSA received an invoice but there is no supporting documentation to show how the invoice was calculated. Administrative Supervisor Burbules is completing the STSA expense sheet PennDot sent. STSA will wait for supporting documentation from PennDot before paying the invoice.

PENNDOT
UTILITY
RELOCATION
AGREEMENT

Solicitor Joseph reported that there has been no change in the Old Dominion property sale. The Knox Law Firm will let the Quinn Law Firm know when the sale has been finalized.

OLD DOMINION
EASEMENT

Solicitor Joseph stated that if needed the Eminent Domain Code applies to any type of interest in property, including easements. STSA would initiate that with a Declaration of Taking and a Statement of Just Compensation. STSA would acquire the easement of the property 30 days after the Declaration of Taking. The owner then has four preliminary objections they can file within those 30 days: the ability of the Authority to condemn the property, sufficiency of the security, challenge the declaration itself or procedural issues. Solicitor Joseph doesn't see any basis for any Preliminary Objections. The possession moves forward regardless of the just compensation. In any condemnation proceeding, the owner is entitled to certain compensation. Solicitor Joseph added that the value is the difference between the fair market value immediately before and unaffected by the condemnation and immediately after as effected by the condemnation. In this case, we are talking about an easement of a property, by a zoning ordinance, as not being buildable due to being too close to a property line. Solicitor Joseph believes that would make the just compensation very low if not zero. Fair market value is what is agreed upon by a willing and informed seller and a willing and informed buyer. This property is not being impaired by the easement. Solicitor Joseph added that a bond will still need to be issued, in the past the STSA posted an unspecified bond pledging the revenues of the Authority. In addition to any just compensation, the owner would be entitled to reimbursement for their costs; attorney fees, engineering fees, appraisal fees, etc., however under the statue, underground piping for water and sewer infrastructure is limited to \$1,000.00. Also, in the event STSA doesn't pay the just compensation for a length of time during litigation, the Authority has to pay interest. The owner

OLIVER ROAD
GRAVITY
REPLACEMENT

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is also entitled to consequential damages if they own adjacent properties impacted by the interference. Manager Steff would like to offer the owner a lateral connection in lieu of just compensation. In accordance with the DEP and the STSA Corrective Action Plan, the Authority is required to maintain the integrity and capacity of its sanitary sewer lines. Not completing this project will result in low-capacity issues in the future. This could be an issue that prevents the property from getting a lateral in the future. Mr. Welka agreed and if they want to litigate further then a lateral connection will no longer be offered. If it goes to litigation STSA will adhere to the outcome of the litigation. Solicitor Joseph recommends sending the lateral offer to someone with authority at the property to approve or reject the offer. If they respond with an unreasonable offer STSA will inform them of what they're legally entitled to. Manager Steff is going to meet with all parties involved next week. If the Authority needs to move forward with Eminent Domain, it will be determined at the next meeting. Terra Works is looking to get started before August 15, 2024. The plan is to go from the pipe replacement project, in June, into the gravity replacement project.

OLIVER ROAD
GRAVITY
REPLACEMENT
CONTINUED

ENGINEER'S REPORT

Engineer Kordes reported that bids for the Ennis Subdivision Sewer Repair Project were opened at 9:00 am this morning before the regular business meeting. The bids came in as follows:

Pollard Land Services	\$235,738.00
Mansfield Sanitation Services	\$232,447.14
Konzel Construction	\$284,800.00
Mathews Enterprises	\$529,323.02
Chivers Construction	\$360,359.00

ENNIS
SUBDIVISION
SEWER REPAIR
BIDS

Engineer Kordes will review the bids and complete the bid tabulation. Chairman Fette asked Solicitor Joseph if there could be an issue with the way one of the bids was sealed. Solicitor Joseph will investigate it further.

Motion by Mr. Marsh, seconded by Mr. Andrus to award the Ennis contract to the lowest qualified bidder, contingent on the Engineer's review and approval. Vote 4/0

MOTION TO
AWARD ENNIS BID

Engineer Kordes stated that we are still awaiting results on the flume test for Old Perry Highway Relief Sewer Project. Assistant Project Manager/GIS Technologist, Mr. Hodge added that there have been multiple delays. There have been three meter replacement issues and a medical issue. As of Friday, May 24, 2024, the meters are up and running and our month of monitoring has started. Engineer Kordes stated that the electrical work with Church and Murdock is still on hold until this issue is resolved.

OLD PERRY
HIGHWAY FLUME
ISSUE

Engineer Kordes stated that there is a re-start/pre-construction meeting scheduled with Terra Works May 31, 2024. The tentative start date is scheduled sometime between June 10th – August 5th.

TERRA WORKS

Engineer Kordes added that Treehouse Lane's sewer project is under construction, and GPI has an inspector there.

TREEHOUSE LANE

MANAGER'S REPORT

Manager Steff requests authorization to enter into a Sanitary Sewer Right of Way Agreement with Sister Janet Goetz, trustee of Patricia A. Goetz Trust. There was no consideration of compensation.

GOETZ EASEMENT

Motion by Mr. Marsh, seconded by Mr. Andrus to enter into a Right of Way Agreement with Sister Janet Goetz, trustee of Patricia Goetz Trust. Vote 4/0.

MOTION TO ENTER
RIGHT OF WAY
AGREEMENT

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Manager Steff would like to apply for Gap Funding for the Ennis Sewer Repairs. The Erie County Municipal Infrastructure Gap Funding Program recommends the adoption of a Municipal Infrastructure Gap Funding request. Manager Steff requests authorization to be identified as the representative applicant authorized to submit the application to Erie County.

**GAP FUNDING
FOR ENNIS
REPAIRS**

Motion by Mr. Marsh, seconded by Mr. Andrus to authorize Manager Steff as the representative to submit applications to Erie County. Vote 4/0.

**MOTION TO
AUTHORIZE
MANAGER STEFF**

Motion by Mr. Welka, seconded by Mr. Marsh to adopt Resolution 2024-2 Erie County Municipal Infrastructure Gap Funding. Vote 4/0.

**RESOLUTION
2024-02**

Manager Steff called for an Executive Session at 10:01 am. Mr. Marsh left the meeting at 10:01 am. The meeting was called back to order at 10:18 am.

**EXECUTIVE
SESSION**

Motion by Mr. Andrus, seconded by Mr. Welka to approve pay increases for Andy Larson and Scott Snyder and to approve the updated job descriptions and titles for Chris Hodge, Andy Larson and Scott Snyder.

**MOTION TO
APPROVE
PERSONNEL
CHANGES**

NEW BUSINESS

Chairman Fette wanted to acknowledge and thank Manager Steff for his 30th year as the STSA Manager.

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

ADJOURNMENT

Chairman Fette adjourned the meeting at 10:20 a.m.

Respectfully submitted by,

Wendy Burbules
Administrative Supervisor