

## AGENDA

### Lake City Municipal Sewer Authority Meeting September 13th 2022

This meeting will be held at the Lake City Council Chambers starting at 7:00 p.m.

**Member Roll Call:** David Jackson Chairman; Joseph Legnasky; Eric Bach; Darwin Michielsen ; Gerald T. Balczon; Engineer Steve Halmi; Attorney Gary Bax

**Visitors Listed:**

**Additions, Changes, Deletion to the Agenda:**

Add:.

**Public Comment:**

**Bills for Approval:**

Deiss & Halmi Engineering – Invoice # 6-22-21 - \$384.97 check # 1060

May-June 2022

Gary D. Bax Attorney at Law Invoice #397 - \$244.50 check # 1065

General municipal representation

Gary D. Bax Attorney at Law Invoice #398 - \$240.00 check #1064

Scheduled Meeting representation

Total bills for approval \$ 879.47

**Action Item:**

Motion for approval

second

Approval of Minutes from the meeting of June 14th, 2022

**Action Item:**

Motion for approval

second

**Auditor Changes:**

Valerie Hartley is now semi-retired and is being replaced by Liz Sturgeon or Bryant Sapone.

**Lake City Borough Liaison Report from Council:**

Decision by Lake City Borough Council on the Reservation of capacity fee as provided thru Attorney Bax to Solicitor Betza

**Engineer Steve Halmi:**

Erie County's Bid opening on the Walnut Grove Project it was advertised in the Erie Times Paper on 9/6/2022

Projected Schedules

Bids to be opened on 9-20-2022 at the Erie County Controllers Office.

**Attorney Gary Bax:**

I. Engineer Halmi inquired about the required location of the sewer line easement, if any, for Walnut Grove Condominium/Julia Drive project as reserved in the recorded condominium declaration. I responded that the condominium declaration plainly reserves a sewer line utility easement for the units and common areas. I noted that the condominium declaration has additional language in section 4.1.2 regarding easement location, but that easement location language does not require road installation of the lines as the only location:

“Any such easement through a unit shall be located either in substantially the same location as such facilities or similar facilities existed at the time of first conveyance of the unit by the Declarant, or so as not to materially interfere with the use or occupancy of the unit by its occupants.”

As this is a Lake City Borough’s project, I suggested that Solicitor Ed Betza opinion on whether a sewer line must be restricted to the condominium roadways.

II. Solicitor Betza reviewed the draft reservation of capacity ordinance and responded favorably to the ordinance in an email memo. He did question the method to calculate such a fee in a situation where a property had only well water and septic with no meters. Without a water meter, LCB may not be able to make such an estimate of the 60% of the rate they would otherwise be paying is connected under the ordinance. Engineer Halmi and I will review this with Solicitor Betza.

Motion to Adjourn:

**Action**

Motion by

Second:

**Next Meeting**

Proposed November/ December 2022