

Minutes

Lake City Municipal Sewer Authority Meeting of September 13, 2022

This meeting was held at the Lake City Council Chambers started at 7:00 p.m.

Member Roll Call:

David Jackson Chairman
Joseph Legnasky
Eric Bach – Absent
Darwin Michielsen – Absent
Gerald T. Balczon
Engineer Steve Halmi
Attorney Gary Bax

Visitors:

Councilman Ray Fish

Additions, Changes, Deletion to the Agenda:

None

Public Comment:

None

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: Gerald Balczon second: Joe Legnasky

Approval of Minutes:

Meeting of June 14th, 2022

Action Item:

Motion for approval: Gerald Balczon second: Joe Legnasky

Informational:

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:

Awaiting final information from Attorney Bax to Attorney Betza on the Reservation of capacity fee this will be based on 1 EDU so the ordinance can be updated. Attorney Bax will provide the additional information needed to complete this task prior to the next council meeting.

Brian Slay is a new employee working at the sewer plant.

Eagle Street notices were sent out by the Borough to the resident for hookups by the end of 2023.

Engineer Steve Halmi:

Erie County's bid opening on the Walnut Grove Julia Drive project it was advertised in the Erie Times Paper on 9/6/2022 and bids will be open on 9/20/2022 at the Erie County Controllars Office. This project is for approximate 1863 feet of 8" gravity sanitary sewers which includes manholes and restoration. This project is under CDBG Funds from the PA Department of Community and Economic Development. The Highway Occupancy Permit from PENDOT has been issued.

Steve Halmi will complete a sewer plant inspection and recommendation for future needs; this is to be completed and submitted to Ray Fish and the board members by the next council meeting to budgetary purposes.

Motion by: Gerald Balczon second by Joe Legnasky

Attorney Gary D. 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 unity 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.

Discussion was held at the meeting an established 1EDU as the bases to be used and Attorney Bax will forwarded this information off to Attorney Betza to move this item along.

Next Meeting: December 13th, 2022

Motion to adjourn: Motion by: Gerald T. Balczon second: Joe Legnasky

Secty/Treasurer: JLL