

**Mercersburg Sewer Authority
Borough Hall, Mercersburg, PA
February 11, 2016
MINUTES**

Attending: Chairman Dan Chayes, Vice-Chair/Secretary/Treasurer Jim Malone, John Rose, Catalin Bonciu, Jonathan Kittredge, Borough Manager Dawn Scheller, Assistant Borough Manager Derek Stoy

Absent: Solicitor and Engineer

Guests/Press: None

Chairman Chayes called the meeting to order at 7:00 pm with no Public Comments at this time.

MOTION: to approve the January 31, 2016 Treasurer's Report and the Bills Payable Invoice List for January 31, 2016 was made by Jonathan Kittredge, second by Catalin Bonciu, all ayes, motion carried.

MOTION: to approve the January 14, 2016 Meeting Minutes as presented was made by John Rose, second by Jonathan Kittredge, all ayes, motion carried.

Dawn Scheller provided her Manager's Report that included information about the money due to the Authority. Dawn also provided an update from the Water Authority Meeting regarding the Waiver Request from Salzmann & Hughes where the Water Authority did not approve the Chair to sign the waiver. This item was listed under New Business to discuss. Dawn Scheller also reviewed the Act 57 proposal from Dennis Black Engineering at a cost of \$2900.00

MOTION: to approve the Act 57 proposal dated January 20, 2016 was made by Jonathan Kittredge, second by Jim Malone, all ayes, motion carried.

The Authority Members began discussion on the Salzmann Hughes Letter dated February 1, 2016 Acknowledgement and Waiver of Potential Conflict of Interest. One member was of the opinion to authorize the Chairman to sign the letter with the understanding that should a conflict arise the Authority would retain a different attorney. He does not believe that the Authority should spend the additional money at this time for special council to be brought up to before a conflict arises. Another member was of the opinion that the Authority should ask Salzmann Hughes to choose between the two clients as they should not represent both. Another Member expressed the opinion to use a different solicitor from the beginning so that if there is a problem the Authority would not be left without representation. After more discussion the following motion was made.

MOTION: to approve the Chairman to sign the Acknowledgement and Waiver of Potential Conflict of Interest was made by Jonathan Kittredge, second by Catalin Bonciu, John Rose – Dan Chayes- and Jim Malone opposed the motion, remaining were ayes, motion failed.

MOTION: to not approve the Chairman to sign the Acknowledgement and Waiver of Potential Conflict of Interest was made by John Rose, second by Jim Malone, Jonathan Kittredge and Catalin Bonciu opposed, remaining ayes, motion carried.

No other business was brought before the board.

MOTION: to adjourn at 7:45 pm was made by Jonathan Kittredge, second by Jim Malone, all ayes, motion carried.

These meeting minutes were transcribed and respectfully submitted by Dawn Scheller for approval with the use of her meeting notes and audio recording.

Date Approved. _____