

**Mercersburg Water Authority Meeting  
Borough Hall, Mercersburg, PA 17236  
May 15, 2025  
MINUTES**

**ATTENDING:** Chairman Ed Twine, Vice-Chairman Jason Frey, Member Joe Creighton, Member Jacob Morgan, Borough Manager Dawn Scheller, Water & Sewer Plant Laborer Donnie Keefer, Administrative Professional Pete Stotemyer, Solicitor Sam Wiser

**ABSENT:** Member Dr. Michael Pedersen

**GUEST(S)/PRESS:** Reference Sign in Sheets

Chairman Twine called the meeting to order at 7:00 pm and opened the floor to Public Comment.

**PUBLIC COMMENT:**

Anthony Frisby, 27 N Main St. Mercersburg, publicly apologized to the Water Authority, the mayor, the borough manager, the office employees, and the borough staff for his post and comments on social media. After almost six months of trying to resolve his water bill, he became frustrated, and he voiced his frustration on social media. He realized this was the wrong way to handle the situation.

Preston Spahr, 101 S Main St. Mercersburg, thanked the authority for letting him join the previous meeting by phone. He appreciates the authority and the borough staff for all that they do every day. Spahr went on to ask if a small portion of the Buck Run property could be opened for public access, and in the long term that property could provide water and serve as a public recreational area. Chairman Twine responded that with an open water source, his primary concern is someone poisoning the reservoir. This is the main reason why he wants to keep the area closed to the public. He would entertain the option of opening up the area once construction is completed on the new well and the open water source is no longer in use. The timeline to complete the project is about 3-4 years. He then believes that public access is feasible.

Tim Stanton, 115 S Main St. Mercersburg, expressed his appreciation to the Water Board for volunteering their time to serve the community especially when they catch grief from the public. As a member of the Sewer Authority, he is aware of improvements that need to be made to the infrastructure and the corresponding rate increases required to fund the projects. He said the Borough is being transparent on how the money being collected for utilities is being spent, and the financial statements are posted on the Borough website. Chairman Twine thanked Stanton for his comments and shared a consent order from DEP to explain why the new projects for the Water Authority are being constructed. The Water Authority was under a direct order from DEP where the deadline was missed and a \$4,500 fine was assessed. The document also stated that a \$50 per day fine would be added, and funds would be withheld also. This document has been reconsidered 3 times over the past 4 years, so the improvement projects need to move forward.

Audry Hua, 100 Academy Dr. Mercersburg, said she has done some research concerning access to the property at the Buck Run Treatment Plant, and previously access to the area was provided with a permit system. As far as she is aware, there were no problems when this occurred. Manager Scheller said that the permit system was used to allow access to the property but was ended once construction began for the Buck Run Well. Member Morgan said that a few weeks ago he spoke with the Deputy Director of DCNR about the situation regarding the Water Authority owning property between two parcels of state lands. He said that once construction is completed, there is a possibility of returning the area with the reservoir back to the state. Preston Spahr said that one of the key components of

the Comprehensive Plan was economic development and allowing public access would attract tourism to the area. Manager Scheller researched the previous minutes for the Water Authority and a motion was approved to close access to the property on November 14, 2012. Hua asked if the authority could grant permission for her to see the land. Twine said the authority would vote on the matter later in the meeting.

#### **TREASURER'S REPORT:**

The Treasurer's Report was not available, but Manager Scheller provided a update on the finances. She discovered a banking error in the amount of \$4,270.03 that was transferred from the wrong account. Once the correction is made, she will redo the reconciliation. There was also an ACH payment for \$346.18 that is being reviewed and looks like a payment that switched from a check to ACH. An updated Treasurer's Report should be ready for the next meeting.

#### **MINUTES:**

**MOTION:** to approve the minutes from April 17, 2025, meeting was made by Frey, seconded by Morgan, all ayes, motion carried.

#### **ENGINEER'S REPORT:**

Not Present. Written report included. Twine said the Notice of Intent to Award to the selected contractor should be finalized once financing by PENNVEST is secured by the end of June.

#### **GMS REPORT:**

Marissa Price stated that Kira is no longer with GMS, and she is now the authority's point of contact. Joshua Crawford will be helping out on the project as well. Closing with PENNVEST is June 30<sup>th</sup>. There is still some documentation that needs to be uploaded yet. GMS will be providing monthly memos from now on, and they will be ready a week before each meeting. Marissa will be attending the Water Authority Meetings as well.

#### **WATER AND SEWER LABORER'S REPORT:**

Donnie Keefer said that due to the amount of rain that fell during the week, the water in the reservoir was stirred up quite a bit, so the flow in the plant was reduced to 90 gallons per minute. The amount of water being used is still about 200,000 gallons per day. Just prior to the meeting, the flow from the reservoir increased to 125 gallons per minute because the water was clearing up, but too many chemicals were used to treat the water. He adjusted the chemicals and had two members of PWD at the plant to monitor it while he attended the meeting. He will return to check out that status once the meeting ends. If Zimm Well was online, the situation wouldn't be as bad. DEP inspected the plant on April 30<sup>th</sup> & May 1<sup>st</sup>, and this is the first time since he's been here that no violations were incurred. DEP will issue a report of the inspection, and they will also provide an exit interview on their findings as well. The authority members will be able to attend the exit interview meeting. Chairman Twine said that Keefer works hard and has been the best water plant operator that the borough has had.

#### **PUBLIC WORKS:**

Written report included. Manager Scheller said that some of the items in the report have images and more detail than what is provided. Moving forward, an attachment for the link to the report will be included in the meeting packet so the members will have access to the additional information.

### **SOLICITORS REPORT:**

Sam Wiser didn't have anything additional to report.

### **MANAGER'S REPORT:**

Manager Scheller said that between April 10<sup>th</sup> when the bills were mailed to the end of the month, \$45,275 was collected for water payments. From May 1<sup>st</sup> to May 15<sup>th</sup>, an additional \$67,473 was collected. The additional funds from the 20% increase to be put aside for future loan payments will be \$9,055.02, and to date the amount is \$13,494.74. The outstanding balance for water bills is \$117,340.15, and the anticipated 20% from this billing cycle to be collected is \$46,017.19. The projected amount of the 20% increase over a year is approximately \$160,000. The annual amount of the loan payment is \$313,000. An additional increase of 20% will be required just to cover the cost of the loan and doesn't take into account operating costs. Solicitor Wiser added that the rates have to be sufficient to make the PENNVEST loan payments and cover the normal operating expenses. Member Creighton mentioned that the authority should look at providing an incentive such as a discount for paying early so the authority could have money in the bank as soon as possible. Manager Scheller suggested that the water authority open an account with PLIGT since they offer a higher interest rate for the money that is being set aside for the loan payments. The auditors were at the office for 3 days, and the on-site portion of the audit is complete. They noted that some payments from 2023 were paid by the wrong accounts, so some transfers need to happen. Some bills that are paid by multiple entities can be paid by one entity in QuickBooks, and the adjustments can be made at the end of the month. Borough, water & sewer would have to agree to this. It would save on staff time, checks, and processing time. Solicitor Wiser said that this agreement should be in writing.

### **OLD BUSINESS:**

Chairman Twine said that the authority would continue the discussion on access to the Buck Run property. Audrey Hua requested the water authority to permit an escorted visit into the Buck Run Water Authority property for the purpose of understanding the possibility of future recreational use on June 11, 2025. This will be a one-time visit. Member Morgan said that he would escort the visitors to the property. Solicitor Wiser said that there needs to be a motion to vote on the issue, and it should include a release for the visitors to sign.

**MOTION: to provide a one-time visit guided by Morgan to walk around the Buck Run property subject to a liability waiver was made by Morgan, seconded by Frey, ayes, Morgan, Creighton Frey, nay Twine, motion carried.**

The members agreed to limit the number of visitors to the Buck Run property to 10 or less. Member Morgan asked about liability protection for the visitors. Solicitor Wiser said that there are two different liability protections that the Authority has. One is under the Political Subdivisions Tort Claims Acts that provides that governmental entities have certain protections for tort claims. The Recreational Use of Land & Waters Act provides more protection for unimproved property.

### **NEW BUSINESS:**

The Authority reviewed the billing concern for the property located at 12049 Buchanan Trail West. April's bill for the property was \$1,042.90, and the owner isn't able to pay it all at once. He is asking if a payment plan could be set up for him. Manager Scheller explained the process for late payments for property owners and said that implementing payment plans was very limited. If a renter fails to

pay a water bill, the process is the same, but past practice has been that the property owner is ultimately responsible if the bill is unpaid. Any changes to billing need including a payment system requires the rules and regulations to be amended. Borough staff doesn't have the authority to adjust a bill. These matters are to be reviewed by the water and sewer board. If a payment policy is implemented, it needs to be consistent for each circumstance. Member Creighton suggested eligibility for a payment program should be for customers who receive a bill that is more than twice their average quarterly usage from the previous 4 quarters. Solicitor Wiser stated that Section 9 of the Rules and Regulations would need to be revised since it deals with water rates and other charges. This would create a new section numbered 9.12. The billing software for the office is not sophisticated enough to pull the accounts that are on the payment plan, so staff would have to keep these accounts separate. Manager Scheller said that there may be some growing pains when the payment process is first implemented. The authority discussed the length of time that should be allowed for the payment plan process.

**MOTION: to authorize staff to execute payment agreements when a customer's bill is double of the average of the prior four quarters with the payments to be paid within six months from the date the authority authorizes a payment plan with the usual late fees applied and limited to one payment plan per individual customer was made by Creighton, seconded by Morgan, all ayes, motion carried.**

The Authority reviewed the delinquent bill from 27 North Main Street where the tenant was disputing his bill for 30,000 gallons of water usage. This amount is more than twice the usage of the previous four quarters and would be subject to the motion for permitting a payment plan. Chairman Twine said we did our due diligence, and the meter was tested and was shown to be working properly. The tenant is responsible for paying the bill, and he needs to work out an agreement with his landlord if he is unable to pay it. He will be allowed to make payments if he opts to go that route. Twine said he appreciated Frisby's apology and asked that he would come to the Authority in future for any concerns he may have. Frisby stated he wasn't upset and thanked the Authority. Morgan asked if the payment plan should be listed under section 6 of the Rules & Regulations. Solicitor Wiser stated that it should be listed under section 6.19.

The authority agreed to have a Resolution establishing Rules of Decorum for public meetings to be drafted by the solicitor's office to review and adopt at the next meeting. They also agreed to have the solicitor's office to revise and update the Rules and Regulations as needed.

**MOTION: to approve the Resolution and Letter of Responsibility for Reimbursement for Project Costs for PENNVEST was made by Frey, seconded by Morgan, all ayes, motion carried.**

The Authority reviewed the informational packet drafted by Member Creighton explaining various topics associated with water bills and meter readings to place on the borough website. Creighton also mentioned having copies in the borough to hand out to customers when they stop in with questions or to pay their bills. He also suggested having a priority list for items that need to be completed. Morgan asked about the process for meter readings and billing, and Manager Scheller explained the current process to him. She also said that she doesn't make any changes to bills or accounts unless it's small discretionary changes. Morgan asked if billing issues could be resolved in another way besides having to bring them to the authority at a meeting. This drags out the length of the meetings, there's a month that goes by between meetings, and he doesn't like the idea of having customers come to public meetings to discuss their private billing concerns with an audience. Chairman Twine said that the final decisions on these matters should be a board decision. Borough staff have enough to take care of already. Members Frey and Creighton agreed that the current system of having the



board review any billing concerns should continue. Creighton said that he would tweak the information packet and get it finished up to place on the Borough's website. Member Morgan said that he would assist with placing the document on the website if needed.

**MOTION: to approve the Chairman to execute the revised Water Treatment Plant at Park Ave Well Project Construction Proposal with JHA was made by Frey, seconded by Morgan, all ayes, motion carried.**

Member Creighton will be the point of contact and will oversee the project for the Borough. JHA was made aware of this arrangement and agreed to it. Doing this will help to keep the cost down which is not to exceed \$223,000.

**MOTION: to authorize to purchase a laptop not to exceed \$4,000 and establish an email account related to upcoming water/sewer authority projects was made by Frey, seconded by Morgan, all ayes, motion carried.**

Dave Thomas with S&A homes is in agreement to construct 5 new homes on Buchanan Drive and wanted to see if there was capacity for water taps. Closing date is June 6, 2025, but he said the homes wouldn't be built right away. Manager Scheller said that Lance Hoover said that there is availability for these lots.

**MOTION: to approve the lots for availability for water was made by Morgan, seconded by Creighton, all ayes, motion carried.**

**MOTION: to consider and approve estimate# 1779083424 from Negley's Water for a Flow Restrictor for Zimm Well in the amount of \$897.57 was made by Morgan, seconded by Frey, all ayes, motion carried.**

**MOTION: to consider and approve estimate# 177909345 from Negley's Water for upgrades at Buck Run in the amount of \$6,358.32 was made by Frey, seconded by Creighton, all ayes, motion carried.**

**MOTION: to approve the purchase of a Copper Tubing Cutter Kit from Home Depot in the amount of \$279.00 was made by Morgan, seconded by Frey, all ayes, motion carried.**

Chairman Twine said that with recent heavy rainfall it would be difficult to communicate with the community that a Mandatory Conservation Notice is needed at this time. He asked Donnie Keefer if Zimm Well will be back online soon, and Keefer said it should be running within two days after the flow restrictor is installed. The authority agreed to leave the current Voluntary Conservation Notice in place for now, and they will discuss it again next month. Chairman Twine said he would like to be notified when Negley's schedules the appointment to install the flow restrictor on Zimm Well.

**MOTION: to approve estimate from AWG for a welder and equipment in the amount of \$5,695.63 from the Joint Equipment Fund was made by Frey, seconded by Morgan, all ayes, motion carried.**

The authority reviewed quote# Q-86994 from GenServe for the GenTracker Power Maintenance Agreement in the amount of \$4,400, and Keefer explained what services are provided with the agreement. Chairman Twine said he doesn't recall any time where it's been an issue getting water into the town. The authority decided not to purchase the agreement given the current budget

situation.

**CORRESPONDENCE:**

**MOTION:** to approve the complimentary membership to PMAA for 2025 was made by Morgan, seconded by Frey, all ayes, motion carried.

**MOTION:** to adjourn at 9:50 PM was made by Morgan, seconded by Creighton, all ayes, motion carried.

*These meeting minutes were transcribed with the use of Pete Stotelmyer's meeting notes and have been respectfully submitted for approval.*

Date Approved: 6-26-25 Motion Made By: Frey Seconded: Creighton  
C.M. CREIGHTON  
Borough Manager

