

Mercersburg Sewer Authority
Borough Hall, Mercersburg, PA
February 13, 2014 RESCHEDULED for February 24, 2014
MINUTES

Attending: Chairman Chayes, Vice-Chairman Doug Hoffman, William Gaunt, Jim Malone, Catalin Bonciu, Borough Manager Tammy Oberholzer, Assistant Borough Manager Dawn Scheller, and Solicitor Sam Wisner

Absent: Engineer Lance Kegerreis

Press: None

Guests: Jon Kittredge- Main St. Mercersburg, and Jason Cotton-Buchanan Dr. Mercersburg

Meeting was called to order at 7:00 pm. Chairman Chayes welcomed the guests present and opened the floor for public comment.

Jason Cotton spoke about his concerns regarding his property. He indicated that he had received the Sewer Authority's offer and declined the offer; he said that he felt a little slapped in the face by the offer. Jason said that he did have his attorney start to work on some things and at that same time he had a constructive conversation with Catalin. He reviewed that he attended the Borough Council Meeting and made Borough Council aware of the issues at the property and the overall situation. He said that he would prefer to keep it away from his attorney and did not want it to go in that direction.

Catalin Bonciu informed the Authority that it made front page of the Journal.

Sam Wisner spoke and reviewed that the Authority authorized Mr. Jason Kelso to make an offer to Mr. Cotton. The offer from the Authority was to treat Mr. Cotton similar to how Mr. Martin was treated. Mr. Wisner recommended that if the Authority wanted to reconsider their offer they should speak in executive session as Mr. Cotton has a lawyer involved now and Sam said he doesn't want anything said by this Authority to prejudice it if it does go to litigation. Sam encouraged if any Authority Members have questions should ask Mr. Cotton now since he was present at this meeting.

Authority member Mr. Gaunt asked if Jason still had the line on top of the surface and asked if the line had frozen.

Mr. Cotton answered that the temporary line is working and said that there is enough geothermal in the line to keep it from freezing.

Authority member Catalin Bonciu said that Mr. Cotton had invited the Authority to the property to see the couch that had gotten sewer on it and that it was in his shed. Catalin reviewed that thru the discussion he had with Jason, Jason reviewed that he had more damage than just the sewer into the tub.

Jason Cotton reviewed that the raw sewage had filled the bathtub to the point where it overflowed the toilet, on the floor and down to his basement where dripped over the couch and the sewer leaked on the floor of the basement.

Chairman Chayes asked if there were any signs of the damage in the house.

Jason Cotton answered probably not now; he said that they cleaned it all up.

Chairman Chayes said and there were no pictures taken.

Jason Cotton answered there was none taken. Jason then reviewed that he went across and asked Mr. Martin to turn off the laundry which seemed to stop the flow going into Mr. Cotton's property. He said he then contacted the Borough and they went straight to work. He said it never occurred to him to take pictures. He welcomed the Authority to give it the sniff test. Mr. Cotton said that Don Shaffer had come into the basement and they saw the sewage running down the floor. He said it was right there. Jason said the PWD brought in the trash can that they put under the clean out is and that's where they put the camera in and they collected some sewage in the trash can.

Sam Wiser asked if Jason had an estimate for the value of the sofa. Jason Cotton said that it wasn't a brand new sofa; it was just a downstairs sofa. Sam Wiser asked how many hours did he have cleaning up. Jason Cotton responded that he had close to 3 to 4 hours. They had to wash floors, dry stuff off.

Member William Gaunt asked if they have had problems since. Jason Cotton answered no they have not.

Member Jim Malone asked if he had any other items which they had to throw out. Jason said he did not that it is a concrete floor.

Member Catlin Bonciu said that he had the cleaning supplies to clean it up.

Member Jim Malone asked for confirmation that both the bathroom and basement needed to be cleaned up. Jason confirmed that was true.

Member William Gaunt asked for the amount that flowed to the basement. Jason Cotton said that it was a good bit and that it leaked on the sofa.

Chairman Chayes asked if there were any more questions. Sam Wiser responded he did not.

Member Catalin Bonciu stated that we definitely want you to be happy, and we want to be happy. Catalin said that we don't want to see you here at every meeting. Catalin Bonciu said that we want you to go away.

Jason said that he had a very constructive conversation with Catalin, and going future past this event that Jason would be interested in serving on the Sewer Authority. Jason Cotton said that he could bring some knowledge and experience to the Authority.

Member Doug Hoffman spoke and reviewed that Mr. Cotton has had received offers and has told the Authority that he has refused them. Doug asked if there was a middle ground. Jason Cotton answered and said that yes there is a middle ground.

Borough Manager Tammy Oberholzer spoke and reviewed that Jason had contacted his boss who delivered the pipe for the Authority. Tammy said that the Authority paid for it, but they did deliver it that night. Tammy reviewed that Jason was instrumental that Jason put in his temporary service that night. Tammy said that everyone was working together for the same end. Tammy said fortunately for everyone involved that Jason did have that connection.

Member Jim Malone asked if Jason wanted the Authority to connect the lateral. Jason Cotton said that that is up to the Authority.

MOTION: to enter into executive session to discuss potential litigation matters with possible action to be taken at 7:16 pm was made by Doug Hoffman, second by Jim Malone, all ayes, motion carried.

Regular session resumed at 7:36 pm.

Chairman Chayes reviewed that Jason Cotton will be receiving correspondence from the Authority's Solicitor within a couple of days.

Chairman Chayes moved on to the Agenda items.

MOTION: to approve the Treasurer's Report and Bills Payable was made by Doug Hoffman, second by Jim Malone, all ayes, motion carried.

Chairman Chayes asked if there were any corrections or changes needed for the January 9, 2014 Minutes. No Comments or Corrections were announced. Meeting minutes were accepted as presented.

Chairman Chayes asked if there was any additional information from the Solicitor. There was none at this time.

Chairman Chayes asked for the Engineer's Report. A copy of an email was supplied to the Authority Members in their packets.

Chairman Chayes asked for the Manager's Report.

Tammy Oberholzer reviewed her report. She provided the Authority with a copy of the DEP Compliance inspection report. Tammy reviewed different refrigerated composite samplers, the Authority asked Tammy to bring back more details before the Authority makes the purchase. Tammy reviewed that the Annual Chapter 94 Report is due again and that Dennis E. Black, Inc. would be completing the report. Tammy provided the money's due to the Authority.

Chairman Chayes asked for the Assistant Manager's Report.

Dawn Scheller reviewed that she had updated the fee schedule and it was on the Agenda for approval. Dawn asked the Authority Members to complete the Statement of Financial Interests.

Chairman Chayes moved on to the Old and New Business.

MOTION: to approve Resolution 2014-1-S: Fee Schedules was made by Doug Hoffman, second by Jim Malone, all ayes, motion carried.

Chairman Chayes reviewed that the PWD Report was included for review.

Chairman Chayes reviewed that the next meeting is scheduled for March 13, 2013 at 7:00 pm.

MOTION: to adjourn at 7:48 pm was made by Doug Hoffman, second by Jim Malone, all ayes, motion carried.

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

Date Approved: _____