

**Mercersburg Sewer Authority
Borough Hall, Mercersburg, PA
January 9, 2014
MINUTES**

Attending: Chairman Daniel Chayes, Vice-Chairman Doug Hoffman, Secretary / Treasurer Jim Malone, Catalin Bonciu, William Gaunt, Borough Manager Tammy Oberholer, Assistant Borough Manager Dawn Scheller, Director of Public Works Don Shaffer Sr., and Engineer Lance Kegerreis

Absent: Solicitor

Press: None

Guests: Jason Cotton, 5936 Buchanan Drive, Mercersburg; Jon Kittredge, Main Street, Mercersburg

Meeting was called to order at 7:00 pm, previous 2013 Chairman Gaunt past the gavel to the new 2014 Chairman Chayes.

Chairman Chayes welcomed the guests and asked Tammy Oberholer to provide a little back ground on the information provided in the Authority packet.

Tammy Oberholer reviewed that Jason Cotton resides at 5936 Buchanan Drive and he lives directly across the street from Mr. Martin which was the area which they first saw some issues with the sewer main. Tammy reported that Mr. Martin's line was videoed in August of 2012 and saw an issue with the sewer main which got progressively worse.

Tammy Oberholer reviewed that in June of 2013 Jason Cotton reported that he had slow moving sewer lines. The Public Works Department then videoed his line. At this time the Sewer Main was open, but it was found that in his line there was a belly (dip) in the line that could have been causing him some problems with the slow moving issues, again on his part of the line. Tammy Oberholer reviewed that in October 26, 2013, there was a total sewer blockage for both Mr. Martin and Mr. Cotton and that's when the temporary line was installed.

Tammy reviewed that Mr. Cotton works for CR Semler, he does this for a living, and he and someone else from his company completed the temporary line on his property and the Public Works Department completed the temporary line on Mr. Martin's property. Tammy reviewed that a couple of weeks later the Public Works Department completely replaced the Sewer Main, added a clean out, and added a manhole on Buchanan Drive. Tammy Oberholer reviewed that when they replaced the sewer main they were able to connect Mr. Martin directly from the new sewer main to his line. Tammy explained that Mr. Cotton's lateral was run from the main to Mr. Cottons curb line and then the property owner is responsible for the lateral from the curb line to the home.

Member Jim Malone asked what was the cause of the total blockage to Mr. Martin and Mr. Cotton. Tammy Oberholer answered that it was the sewer main. Tammy Oberholer had provided the work orders for this property in June where the line was videoed and it showed a low point in the line that possibly was a cause for his slow moving water through his lines.

Chairman Chayes recognized Mr. Cotton.

Jason Cotton thanked the Authority for allowing him time to speak. He said that he is very frustrated with the Borough, but he believes there are some inconsistencies with what Tammy is saying. Jason said he has lived at the property for five years. Jason Cotton said that he has had issues with his sewer system before; slow moving, some small backups into the tub before. Jason said that he honestly thought the issues were tree roots in his line from two big trees in his yard, and it wasn't until he spoke with Mr. Martin and found out the issues that he was having till they put it together. He said that

that is when he called the Borough and asked to have his line videoed. He said he was there when it was videoed and he agreed that there was a small belly in the line, with water in it. He said there was no blockage in it, nothing to impede the flow from going thru. Jason Cotton said there is a way to test the line to see if the belly is what was causing the issue. He said that no one did that and described the process. Jason Cotton told the Authority that he was told that there was an engineer working on a plan to fix the main and that there was an issue with the main and he never heard anything after that. Jason Cotton said that he read the prior Meeting Minutes from May of 2013. He said that he had 8 inches of raw sewage in his bathtub, in his house, 8 inches of raw sewage. Jason Cotton stated that this occurred on October 27, 2013 when the main failed. Jason said that his property is lower than Mr. Martin, at the bottom of the line, and he said that it went over his toilets, into his basement, it was on couches, and he said it was a mess.

He said at that point they called the Borough; he went over to talk with Mr. Martin. Jason said that they started working on it from there. Jason said that they didn't want to cut the road, because it was a new road, because the plan was to come up the side of the road to install the main. He said that they were going to have to cut the road at some point to get to him. Jason Cotton stated that he was more than willing to do what needed to be done. He said that he had equipment there and the Borough brought their equipment, and said that he had spoken with Don Shaffer Sr. and said that if they needed to dig up his yard to get to his lateral, he said that he just wanted to get it fixed. Jason Cotton said that they did not have sewer service for 24 hours; he said that they had to go to McDonalds to go to the bathroom.

He said on Sunday morning they dug it up, was able to get the cutter thru and it may have just pushed the clog down the line. Jason reviewed that at that point he had contacted his boss and asked for a delivery of 300 feet of pipe which the Authority paid for. Jason stated the Authority only received the invoice for the material, nothing for the labor or equipment. Jason stated that the work done was not quite what Tammy had indicated with the Borough working on Mr. Martin's property and he on his property, it was done collectively and they got everyone set up with sewer service. The Authority was informed that the new main line was completed the week before Thanksgiving.

Chairman Chayes reviewed that one of the issues it took time to get to this fixed was because the PWD was busy with working on California Street. Chairman Chayes stated at this point Mr. Cotton's line is a temporary line and there seems to be a miscommunication with his line getting connected.

Jason Cotton said that no one told him that he would be responsible for getting connected.

Chairman Chayes reviewed that it was his understanding that Mr. Cotton had said that he was going to replace his line going to the main which is why he wasn't connected to the main. Chairman Chayes asked for verification from Donald Shaffer Sr.

Donald Shaffer Sr. stated that he had a conversation with Mr. Cotton over the phone where Don called Mr. Cotton asking him if he could place dirt in his yard, and Mr. Cotton said go ahead and dump dirt in there that he was going to redo the whole yard the line. Don Shaffer Sr. said that's where he got that information. Don Shaffer Sr. said that maybe he completely misunderstood him. Don Shaffer said that he thought Mr. Cotton was going to put in the line and it sounds like Mr. Cotton thought we would be putting in the line.

Mr. Cotton said the yard was supposed to be redone a while back, but this all has put him on hold with everything. He said that he has not been able to do anything with his yard and is super frustrated with this. Jason said that he understands that they have other projects but if it was approved in June to complete this fix and in July Tammy had reported to the Authority about blockages on that line, at some point the Authority needs to hire someone to get it fixed.

Chairman Chayes reviewed that the Authority is confined by requirements for competitive bidding processes.

Jason Cotton then restated that he had 8 inches of raw sewage in his bathtub because nothing was done for a half of a year. He presented a letter to the Authority with his suggested solution for the Authority to review. Each member of the

Authority received a copy of the letter. He reviewed that he is interested in compensation for time lost, time spent, aggravation, sewage in his house, all the above. Jason Cotton reviewed that he cleaned it up himself and feels that something should have been done faster than what it was. He said that he had multiple people tell him that it was a ticking time bomb and nothing ever happened.

Tammy Oberholzer reviewed that they had to get permission to cut the road since the property is in Peters Township.

The Authority Members discussed that this matter would need to be discussed in executive session and that it may take a short time before the Authority would get back to them as they may also need to discuss the matter with the Solicitor.

The Authority asked what would be involved with connecting his lateral. Lance answered it would be a day, time materials, and a gas line would need to be crossed. The Authority discussed that the old lateral is not useable.

Member Catalin Bonciu asked if Mr. Cotton had any photos showing the damage in his property, anything showing the tub, walls, furniture, or basement. Mr. Cotton said that he had no pictures and he was just focused on getting it cleaned up and back in working order.

Chairman Chayes asked if he would reconnect, Mr. Cotton reviewed that if the Authority agreed to the amount in his letter he would take care of connecting. He also apologized on behalf of the Authority for any inconvenience and the mess which occurred.

Chairman Chayes moved on the Agenda items listed.

Motion: to approve the Treasurer's Report and Bills Payable Invoice list for December 2013 was made by William Gaunt, second by Jim Malone, all ayes, motion carried.

The Minutes for the December 12, 2013 meeting were accepted as presented.

Chairman Chayes asked for information from the Solicitor.

Tammy Oberholzer said there was nothing at this time.

Chairman Chayes asked if there was anything additional from the Engineer. There was nothing at this time.

Chairman Chayes asked for the Manager's Report.

Tammy Oberholzer reported the money due to the Authority and information regarding the Keefer pumping station.

Chairman Chayes asked if there was any Old/New or other business to discuss. There was none.

MOTION: to enter into executive session at 7:30 pm to discuss a potential litigation matter with possible action to be taken was made by Doug Hoffman, second by Catalin Bonciu, also requesting Don Shaffer Sr. and Lance Kegerreis to remain, all ayes, motion carried.

Regular Session resumed at 8:15 pm.

MOTION: to adjourn at 8:16 pm was made by Jim Malone, second by Doug Hoffman, all ayes, motion carried.

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

Date Approved: _____