

**BERWICK AREA JOINT SEWER AUTHORITY**  
**REGULAR MEETING**  
**JULY 13, 2011**  
**ADMINISTRATIVE OFFICE**  
**1108 FREAS AVENUE**  
**BERWICK, PA 18603**

The monthly scheduled and advertised meeting of the Berwick Area Joint Sewer Authority (BAJSA) was called to order by Chairman Steven Fraind at 6:30 pm. The pledge of allegiance to the flag was presented.

Roll call was taken and members in attendance were as follows: Treasurer Nelson Learn, Asst. Secretary William Fairchild, Asst. Treasurer W. Bruce Michael, Secretary Louis Biacchi and 2<sup>nd</sup> Assistant Treasurer Gary Pinterich. Vice Chairman Jimmy Morris Pres Pro Tem George Welliver were absent.

Also in attendance were: Authority Manager Gloria Bobersky, Engineer Dennis Peters, Solicitor Anthony McDonald and Erin Threet from HRG. Present from the public were Rich Banks from the BAJSA Treatment Plant. Tammy Eddinger, Erika Mont, Eli McAfee and Lois McAfee were from Oak Street. Melissa Sabo and Becky Seltzer were present from Park Place and Bill Seigel from SEDA-COG.

**APPROVAL OF MINUTES**

Motion made by Louis Biacchi to approve the meeting minutes of June 8, 2011. 2<sup>nd</sup> by Gary Pinterich. All in favor and the motion passed unanimously.

**PUBLIC INPUT**

Tammy Eddinger of 354 Oak Street in Berwick was present from the public to address her concern of the slope that is now in front of her home between the sidewalk and the road, since the paving was completed from the storm water/ sewer separation project on Oak Street.

Eli McAfee has given BAJSA permission to scan his photos that he brought with him of Oak Street prior to construction.

BAJSA will meet with Berwick Borough council to determine what needs to be done about slopes on Oak Street.

Becky Seltzer was here regarding back-ups into her basement at 405 Maple Road. She is not happy with insurance company. They gave her \$4,601.85 covered replacement value of flooring.

Motion was made by W. Bruce Michael to have Dave Boring install a back flow preventer, at Becky Seltzer's residence, at the estimated cost of \$1,100.00. 2<sup>nd</sup> by Nelson Learn. All in favor and the motion passed unanimously.

Motion made by Louis Biacchi to cover the short fall if insurance company will not cover total damage for Becky Seltzer. 2<sup>nd</sup> by Gary Pinterich. All in favor and the motion passed unanimously.

**PAYMENT OF BILLS**

Motion made by W. Bruce Michael to approve the payment of bills in the amount of \$188,916.68. 2<sup>nd</sup> by Louis Biacchi. Roll call vote was taken and was as follows:

N. Learn	-	Yes
B. Michael	-	Yes
S. Fraind	-	Yes
W. Fairchild	-	Yes
G. Pinterich	-	Yes
L. Biacchi	-	Yes

All in favor and the motion passed unanimously.

**REPORTS**

**HRG**

Motion made by W. Bruce Michael to allow Authority Manager to market Nutrient credits and execute agreements available for 2011. Erin, HRG engineer, will figure out what we need to keep for BAJSA. 2<sup>nd</sup> by William Fairchild. All in favor and the motion passed unanimously.

**AUTHORITY MANAGER**

Authority Manager had discussion about the 2010 Audit. The Audit is complete.

Motion was made by W. Bruce Michael to have Solicitor McDonald send Al Luchas a letter regarding the administrative contract regarding Mifflin Twp. 2<sup>nd</sup> by Nelson Learn. All in favor and the motion passed unanimously.

Motion made by W. Bruce Michael to submit no further payments to James T. O'Hara until the issues are resolved. 2<sup>nd</sup> by Nelson Learn. All in favor and the motion passed unanimously.

Motion made by W. Bruce Michael to request a credit according to contract documents regarding pay rates. 2<sup>nd</sup> by Gary Pinterich. All in favor and the motion passed unanimously.

**PETERS CONSULTANTS**

Engineer Dennis Peters reviewed the status for the Front and Second Street Sanitary Sewer/Storm water Separation project. The gas and water companies are starting their portion of the job, but the beginning of construction is approximately two months behind.

The BIDA Complex Sanitary Sewer/Storm water separation project is complete. BAJSA is holding \$190,000.00 from O'Hara contract.

Engineer Peters recommends O'Hara be awarded for the East of Market Street Sanitary Sewer/Storm water Separation project.

Motion made By W. Bruce Michael to not award O'Hara for the East of Market Street Project because of the non-compliance with the existing contract. 2<sup>nd</sup> by Gary Pinterich. Roll call vote was taken and was as follows:

N. Learn	-	Yes
B. Michael	-	Yes
S. Fraind	-	Yes
W. Fairchild	-	Yes
G. Pinterich	-	Yes
L. Biacchi	-	Yes

All in favor and the motion passed unanimously.

Motion made by W. Bruce Michael to award contract to second bidder, Doli Construction, in the amount of \$3,637,953.00 contingent upon approval from DEP. 2<sup>nd</sup> by Louis Biacchi. Roll call vote was taken and was as follows:

N. Learn	-	Yes
B. Michael	-	Yes
S. Fraind	-	Yes
W. Fairchild	-	Yes
G. Pinterich	-	Yes
L. Biacchi	-	Yes

All in favor and the motion passed unanimously.

#### **OLD BUSINESS**

Motion made by W. Bruce Michael to accept new engineering agreement for East of Market Street. 2<sup>nd</sup> by Louis Biacchi. All in favor and the motion passed unanimously.

#### **NEW BUSINESS**

Motion made by Louis Biacchi to enforce the Liquidated damages for Doli Construction from June 22, 2011 until Substantial Completion. 2<sup>nd</sup> by Gary Pinterich. All in favor and the motion passed unanimously.

Motion made by W. Bruce Michael to table previous motion until we have solid number for Substantial Completion. Motion fails for a second.

Motion made by W. Bruce Michael to pay application #4 for Doli Construction for Continuation of Oak Street in the amount of \$281,996.10. 2<sup>nd</sup> by Louis Biacchi. All in favor and the motion passed unanimously.

Motion made by W. Bruce Michael to pay application #5 to Doli Construction for Continuation of Oak Street in the amount of \$195,818.75. 2<sup>nd</sup> by Louis Biacchi. All in favor and the motion passed unanimously.

Motion made by Louis Biacchi to approve the Substantial Completion for James T. O'Hara on June 2, 2011. 2<sup>nd</sup> by Gary Pinterich. All in favor and the motion passed unanimously.

Motion made by Nelson Learn to enforce Liquidated damages for James T. O'Hara from May 6, 2011 to June 2, 2011. 2<sup>nd</sup> by Louis Biacchi. W. Bruce Michael no. Motion passes.

Motion made by W. Bruce Michael to accept updated Shut- off Agreement with PAWC. 2<sup>nd</sup> by Gary Pinterich. All in favor and the motion passed unanimously.

Motion made by W. Bruce Michael to purchase a baling hook for the Road Crew to lift manhole covers. 2<sup>nd</sup> by Nelson Learn. All in favor and the motion passed unanimously.

Motion made by W. Bruce Michael to sign a new agreement with First Keystone Bank for BAJSA not to be charged for ACH payments. 2<sup>nd</sup> by Louis Biacchi. All in favor and the motion passed unanimously.

**ADJOURN**

Motion made by W. Bruce Michael to adjourn. 2<sup>nd</sup> by Nelson Learn. All in favor and the motion passed unanimously.

The next regularly scheduled BAJSA meeting will be held on Wednesday, August 10, 2011 at 6:30 pm.