

GREATER JOHNSTOWN WATER AUTHORITY
Thursday, August 4, 2022
COMMITTEE OF THE WHOLE MEETING MINUTES

AUTHORITY MEMBERS:

Mr. Don C. Hall, II, Chairman; Mr. Kevin Pile, Vice Chairman; Mr. Anthony Caputo, Secretary; Mr. Charles Arnone, Assistant Secretary; Mr. Richard Rambish, Treasurer; Mr. John H. Follansbee, III, Assistant Treasurer; Mr. Ed Cernic, Jr.; Mr. Marc McCall; Mr. James McDonnell; Mr. David Vitovich

A. Don C. Hall, II, Chairman, called the Committee of the Whole Meeting of August 4, 2022 to order at 3:00 p.m.

B. PLEDGE OF ALLEGIANCE TO THE FLAG

C. ROLL CALL OF MEMBERS

Mr. Follansbee was absent.

OTHER REPRESENTATIVES:

RDM – Johnstown, LLC

Michael Kerr; Michael Kukura
Denny Shadron, David Sutor (via video).
Melissa Radovanic was also present.

Greater Johnstown Water Authority

William Barbin, Esquire, Solicitor

Gibson Thomas

Chris Wharton

EADS Group

Brandon Palmer

Recording Secretary

Lori A. Behe

Others in attendance (via video)

Della Csehoski, Beth Reina, Beth Colvin, Alex Marquis, Brian Carter and Rose Sarccone

D. PUBLIC COMMENT ON AGENDA ITEMS

Fran Pozun, 1412 Luzerne Street Extension, Westmont, presented before the Authority and provided a history of events that led up to her home being sewer compliant via air pressure testing and video. She explained that the home has radiant heat in the floor and no basement and there is the risk of damage to the heating system. She stated, in June of this year, her house was placed for sale, and a day after listing the home, a notice was received from the GJWA indicating previous compliance was no longer acceptable. Ms. Pozun noted that one condition for the sale of the home was that it would be sewer compliant by August 25. She indicated that only one contractor was willing to do work by tunneling under the home for \$30,000. Ms. Pozun stated a letter she received from the Borough of Westmont indicated that the GJWA would not accept that test. A copy of the letter was presented for members to review. There was further discussion regarding a December 2021 report sent to DEP containing information regarding pressure testing.

Bill Lease, 1133 Club Drive, Westmont, realtor with ReMax indicated he was involved in the sale of the Pozun home. Mr. Lease indicated there should be some type of leeway with regard to the type of housing. He noted that CCTV testing was to be for 15 years, which was not considered during the sale of the property. Mr. Lease invited Mr. Kerr to look through the viewport at his home during the next rain and Mr. Lease guaranteed him that he would not see a drop of water. He was also told a flow meter would cost too much to install. Mr. Lease also mentioned that he had not received the letter.

Mr. Kerr explained that those homes not in compliance are paying a monthly surcharge of \$25 which will go up to \$50 on January 1, 2023. He explained that thousands of feet of main are camera'd daily and water filtration was coming from the private sewer laterals that remain unpressure tested.

Doug Macmillan, 515 Luzerne Street, Westmont, requested that the GJWA provide a method or set of guidelines for those selling their homes to resolve the issue. Mr. Kerr explained there is a temporary certificate of compliance that indicates the buyer has 180 days to complete the compliance.

E. SOLICITOR'S REPORT

Mr. Barbin suggested an Executive Session be held with regard to potential litigation that is inherent.

EXECUTIVE SESSION WAS HELD FROM 3:18 UNTIL 3:54

E. SOLICITOR'S REPORT (CONTINUED)

Mr. Barbin suggested that Authority members have further discussion with regard to available options. Chairman Hall noted for the record the options should be made clear to the Board as well as all those in attendance.

Mr. Barbin explained the three options as follows: Option One, Maintain status quo, continue to require pressure testing of properties being transferred. Option Two, maintain the rule requiring pressure testing but limit the enforcement of the monthly surcharge that is currently \$25 per month, \$50 per month January 2023, and the surcharge will continue to apply even after a transfer until testing is completed. That would be subject to conditions in other variances. Option Three would be to expand Option Two to apply to buildings with slab-on-grade construction because it would lower hydrostatic pressure allowing them to avoid testing subject to the conditions in the standard variance exemption in Option Two already, that no I&I is observed in the viewport and GJWA would reserve the right to require strict compliance if consent agreement requirements are not met down the road. There was further discussion regarding the options.

Mr. Caputo asked how this all could be justified to the people of the City of Johnstown. Mr. McCall commented that the City was never offered CCTV testing. He suggested Options Two and Three as a way of being more flexible when it concerns deed transfer. In the future as the sewage system expands, more flexibility would be necessary. There was further discussion.

Mr. McDonnell made a motion to approve Options Two and Three. The motion was seconded by Mr. McCall.

There was further discussion.

The motion passed by the following vote:

Yeas: Mr. Hall, Mr. McCall, Mr. McDonnell, Mr. Rambish, Mr. Arnone (5).

Nays: Mr. Cernic, Mr. Caputo, Mr. Pile, Mr. Vitovich (4).

Mr. Kerr further explained that Option Two states no deed transfers would be held up, that the buyer of the home would pay the surcharge. Option Three states that on-slab constructed homes would be required to pressure test up to the edge of home, an inspection port installed at the edge of the home subject to random inspections by the Authority. At that time, if there is no I&I entering the system, the home would be compliant.

Mr. Arnone made a motion to approve the Solicitor's Report. The motion was seconded by Mr. McCall.

The motion passed unanimously.

F. ENGINEER'S REPORT

GJWA Committee of the Whole Meeting
Thursday, August 4, 2022

EADS Group

No Report.

G. ITEMS FOR DISCUSSION

None.

H. NEW BUSINESS

None.

I. COMMENTS

None.

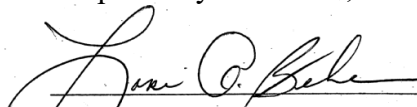
J. NEXT MEETING DATE: AUGUST 11, 2022 AT 3:00 P.M.

K. ADJOURNMENT

Mr. Arnone made a motion to adjourn. The motion was seconded by Mr. Vitovich.

The meeting adjourned at 4:09 p.m.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Lori A. Behe", written over a horizontal line.

Lori A. Behe
Sargent's Court Reporting Service, Inc.