Burgettstown-Smith Township Joint Sewerage Authority
377 Joffre Bulger Rd. Burgettstown, Pa. 15021
P.O. Box 389 Burgettstown, Pa. 15021
(724)947-9609 Fax (724)947-9614
Office Hours: Mon. 8am-4pm Tues. Closed Wed.-Fri. 8am-4pm
Closed the first business day of the month.

MINUTES OF THE
BOARD MEETING
ON
August 5, 2026

Pam Church called the meeting to order at 6:00pm

ROLL CALL

Pamela Church, Kim McGee, Jim McGee, Rich Creps , and Anthony Gianfrancesco answered roll call. Bill Jordan is absent

Lane Turturice-Solicitor, Shari Crawford-Authority Manager. Keith Straight-Redcon engineer also attended the meeting.

Please let the minutes reflect there was an executive session held at 5:00pm on personnel issues and potential litigation.

A question was raised, can you be more specific pre the Sunshine Act, the response was no and solicitor said we are not going to disclose for personnel reasons. Solicitor address the resident he is curious to know what the resident thinks he is entitled to know about the employees. He advised he is not here to know about employees and he would talk with solicitor later.

PLEDGE OF ALLEGIANCE

PUBLIC COMMENT

Residents from Pleasant Valley Road regarding the grinder pump policies.

MEETING MINUTES

Motion to accept the minutes of June 3, 2026, meeting made by? Seconded by? all in favor none opposed motion carries.

We have additions to the Aug 5, 2026, agenda.
We are going to discuss and approve operations changes.
Also, in the legal report we will discuss and approve the Gundog property agreement.

Motion to pass the amended Aug 5, 2026, agenda made by Rich Creps. Seconded by Kime McGee all in favor none opposed motion carries.

Pam advised we will be doing person to be heard during public participation; she thinks that will be the best thing today.

TREASURERS REPORT (See Attached Report)

Motion to pay the bills for May & June 2026, made by Kim McGee. Second by Jim McGee all in favor none opposed motion carries.

Motion to accept the Treasurer's Report for May & June 2026, made by Kim McGee. Second by Jim McGee, all in favor none opposed motion carries.

MANAGERS REPORT (See attached report).

Motion to accept the Managers report made by Kim McGee. Second, by Rich Creps all in favor none opposed motion carries.

SEWERAGE TREATMENT PLANT REPORT (See attached report)

I & I REPORT (See attached report)

COLLECTIONS SYSTEM REPORT (See attached report)

Discuss timeline for Dye Test completion. The initial dye test will be done within 21 days of the completed application and payment being received.

Motion to accept Sewage Treatment Report made by? Seconded by? All in favor none opposed motion carries.

ADMINISTRATION AND BILLING REPORT (See attached report).

Motion to accept Administration/ Billing Report made by Kim McGee. Seconded by Jim McGee all others in favor none opposed motion carries.

ENGINEERS REPORT (See attached report)

Keith advised Cherry Valley Estates will be starting phase 5 next week. We will have a meeting with them on Wednesday.

Discussion of the Grinder Pump Policy. Keith advised this is not ready for adoption, this is more of a draft, the solicitor needs to review how this should be between the authority and homeowner. Provisions that need to be put into place. Lane suggested that the board sends himself and Keith any comments for the agreement.

Anthony asked if the workshop meeting on August 25, 2026, to discuss and approve the grinder pump policy. Kim asked if that was enough time to have it completed and Lane said yes.

There was some discussion of where the sewer authority and homeowner are responsible for the sewer line.

Motion to accept the engineering report made by Rich Creps. Seconded by Anthony Gianfrancesco all in favor, none opposed motion carries.

LEGAL REPORT (See attached report)

Discussion of the developer's agreement with Gundog Property. The owner is subdividing the property. Please make comments directed to Keith and Lane for the agreement.

Discussion of the Non-Profit Policy. Pam posed questions to the policy. Lane advised the policy mirrors the Supreme Courts expectations what is required when approving or categorizing what constitutes a public charity.

Motion to accept the legal report made by Rich Creps. Seconded by Anthony Gianfrancesco all in favor, none opposed motion carries.

OLD BUSINESS

Motion to approve Non-Profit Contribution Policy with the addition of Municipalities and changing the renewal period to 3 years and 2 taps for each municipality made by Rich. Seconded by Anthony, Pam in favor, Kim opposed and Jim opposed, vote is 3-2 motion carries.

Credit card Policy discussed and the cards having the gentlemen's names on them. Sam and Tom are ok with having their names on cards.

Motion to accept the donation from Cassidy Signs to do the lettering on all the company vehicles made by Rich. Seconded by Anthony all in favor none opposed motion carries.

NEW BUSINESS

Pam advised we added this to the agenda tonight, in executive session went through some personnel issues had to do with operations so back in May we had approved 4 different operation changes. So, we basically just want to vote on those again tonight with adding the office hours and the manager's actual schedule. So, I think I'm just going to go down individually the ones we actually discussed in executive session and I just need a vote, I need to have everybody vote.

I need a motion to have the office personnel which is the manager and secretary must remain open Monday through Friday 8:00am-4:00pm and must not close the first day of the new month, the first business day, I need a motion to accept that.

Kim McGee
Madam chairman I'm executing my right to leave this board, and you won't have a quorum. It's Roberts Law.
Jim McGee stood up and started walking away.
Solicitor: Call for a motion: Rich Creps made the motion, Anthony seconded, all in favor, motion carries with 3 votes. Jim McGee did not answer
Rich
There we can't do nothing else. Can we do anything with the public?
Solicitor advised the remaining board members to recess the meeting and reconvene on August 25, 2026, the day of our advertised Workshop meeting.

7:11 PM

Question and Answer session with the residents.

Submitted by: _____

The foregoing minutes were _____as_____this

_____Day of_____, 2026 while in regular session.

_____
Board Chairperson

Attest: _____
Board Secretary/Treasurer

(SEAL)

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August 5, 2026 (Reconvened)
MEETING MINUTES

Meeting reconvened at 6:00 PM

ROLL CALL

Board Members Present: Pamela Church, Kim McGee, Jim McGee, Rich Creps, Bill Jordan and Anthony Gianfransesco.
Lane Turturice (Solicitor) Shari Crawford (Manager)

Chair asked for a motion to approve the changes to the August 5th meeting agenda:
Jim McGee interrupted and asked to read a letter. Solicitor advised him to wait until after the vote.
Rich Creps made motion, Anthony seconded, Kim McGee and Jim McGee opposed, motion carries.

NEW BUSINESS (Cont.)
Motion to approve the Resolution for Operation Procedure Change for the BSTJSA office. Motion made by Kim, Anthony seconded. Jim was permitted to read his letter regarding the Sunshine Act and a discussion proceeded between Kim McGee, Jim McGee and the Solicitor.

Letter attached.

Lane advises Chair to ask for public comments. There were public comments and questions regarding the Resolution and board members commented on actions taken by other board members from the August 5th meeting. Solicitor reads Resolution for Operation Procedure Change for the BSTJSA office.

Chair asks for a motion again to approve the resolution, and Kim McGee wants clarity. Solicitor advises the Chair to adjourn into executive session regarding personnel issues with Resolution pending. Board adjourns into executive session at 7:24 PM. Reconvened at 7:35 PM.

Lane reads revisions to the Operation Procedure Resolution.

"This is an Equal Opportunity Program. Discrimination is prohibited by Federal law. Complaints of discrimination may be filed with the Secretary of Agriculture, Washington D.C. 20250"

Lane advises Kim to make the motion to add the revisions as stated, Pam seconds and accepts the revisions all was in favor, motion carries.
Shari requests a motion to allow her to work (4) 10 hour shifts starting at 7:30 AM – 5:30 PM on Monday-Thursday off on Fridays. Anthony makes motion, Kim seconds all was in favor, motion carries.

Motion to adjourn at made by Rich at 7:41 PM, Seconded by Anthony all was in favor, motion carries.

Submitted by: PAMELA CHURCH

The foregoing minutes were APPROVED as WRITTEN this

4 Day of NOVEMBER, 2026 while in regular session.

Pamela Church
Board Chairman

Attest: _____
Secretary/Treasurer

(SEAL)

Official Board Statement: Point of Order on Agenda Violations and Serial Polling.

Madam Chair, I am calling for a point of order before proceeding any further to address a critical matter of procedural integrity, legal compliance, and board transparency. I ask this to be recorded into record, and I will provide a copy for the record.

Tonight, we are gathered here at a published meeting that completely lacked a posted agenda. Under 65 Pa.C.S. 712.1(a) - Failed Agenda Posting: The Sunshine Act strictly mandates that an agency must post an itemized agenda at least 25 hours prior to a public meeting online, at the primary office, and at the meeting location.

Because you as Chair failed to provide an itemized agenda for this meeting to post 24 hours in advance – this error rests with you and that of your advisors, specifically with the requirement you delivered to the authority manager, that the management and responsibility of the agenda was yours.

You and others may have thought or even been advised that you could continue a suspended meeting from 20 days ago without following the strict 24-hour agenda posting – That is incorrect. It requires (d) a completely new agenda posted 24 hours in advance which you did not happen. Additionally, it should be noted,

For the record, under 65 Pa.C.S. 703, a meeting legally requires a quorum to exist. The moment quorum is or was lost specifically August 5th, all official business and voting must stop immediately. The only permissible actions the remaining members could take were to fix the time to which to adjourn, recess, of taking immediate measures to round up a quorum. Typically, the solicitor will guide the remaining board members to reschedule to complete the interrupted agenda or "adjourn to a future date,". The Sunshine Act however overrides ordinary parliamentary freedom specific to future date, in that it specifically requires the posting of the new agenda for public transparency.

Because of your decision or that of your advisors to not post a new agenda, the board is per Sunshine Act and other statues legally prohibited from deliberating or taking official action on any matter that was not included in an agenda posted at least 24 hours prior to the meeting. An attached sheet, highlighting case law and the Sunshine Act, speaks to the requirement of a new agenda. I am sharing such with our solicitor.

In another matter and point of order, this structural breakdown and pattern of questionable behavior is alarming. The apparent reliance on casual, offline chats or secret discussions is where accountability disappears. If it isn't done in the open, it is an illegal maneuver to bypass the public. That is wrong.

My urgency tonight also stems from the fact that this lack of an agenda follows a pattern of potential illegal activity by a faction designed to bypass public scrutiny entirely.

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This past week, multiple board members – including myself – received a direct communication for the Chair that proves exactly how these policy deliberations are being handled outside the boardroom.

To ensure there is zero ambiguity, let the record show the exact transcript of the message delivered by Chair, Pam Church. This is the exact message Pam left Kim.

"Hi Kim, this is Pam, Lane wanted me to give you a call and find out if there's any operational procedures that you would like to change or add to the sewage authority staff. If there is, you can email them me."

Conducting policy deliberations, polling board members individually, or gathering private preferences regarding the sewage authority of staff, policies and procedures outside of a properly noticed public meeting completely violates the Sunshine Act.

This is a textbook attempt at serial deliberations which are used to build a walking quorum before the public ever sees an agenda. That the Chair indicates this is /was a directive from the solicitor is equally alarming.

Our solicitor is retained to provide legal advice to this board and Authority as a collective public body. The solicitor's office does not exist to direct private, offline surveys of individual members' policy preferences regarding past or future events.

Madam Chair, since your voicemail confirms you were actively gathering our specific positions on any operational procedures that we would like to change or add, I want to know if you are unaware of the Sunshine Act or your violation. Are you trying to public and full board the transparency?

Solicitor, As the legal counsel for this board, your role is to provide legal advice to this body as a collective public body during open sessions. Why are you intervening in directing or managing private policy discussion and operation questioning individual members behind closed doors?

Solicitor, the voicemail, explicitly states that the Chair was making these private, individual calls "Under the direction of our solicitor," you. Did you, or anyone in your office, advise, direct, or authorize the Chair to conduct private, offline surveys of individual board members regarding their policy preferences or the event on August 5th.
Is it your professional legal opinion that directing a multi-0person, sequential polling effort of individual board members outside of a public meeting complies with the Pennsylvania Sunshine Act's strict prohibition against serial deliberations?

In short, for the protection of the authority, the compliant Board members and our public, I request that you explain under what authority or legal rationale you directed the Chair to poll individual members outside a public meeting. I also request that you confirm right now, for the official minutes, that any substantive deliberation on unposted business tonight or at any point violates the Sunshine Act and invites citizen litigation. Finally, I request that this meeting strictly limit itself to receiving public comment and administrative scheduling, and that all other policy, operational or offline polling cease immediately until an itemized agenda is properly published to the community and is reviewed by an independent counsel. Let the minutes reflect this exact transcript and this formal objection."

Let the record further state, that in the absence of a posted agenda, it be perfectly clear of what is unacceptable and illegal under these circumstances:
It is unacceptable to hold any deliberations. We cannot discuss, debate, or even casually converse about upcoming policy changes, staff adjustments, or operation procedures.

It is unacceptable to use generic placeholders like "Old Business" or "New Business"
To introduce specific topics that the public did not see 24 hours ago.

Conversely, let the record show exactly what is acceptable under these restrictive circumstances:
It is acceptable to hear public comments. Taxpayers have an absolute right to speak
And we have a duty to listen.
It is acceptable to receive information and immediately move to table or defer the
Matter to the future, properly noticed meeting.
It is acceptable to make strictly procedural motions, such as voting to adjourn or
Recess.

Mr. Solicitor, for compliance, fairness, and transparency for our Authority and the public and further considering recent potential Sunshine Act violations against the authority I stop to ask you for the official minutes as the legal counsel for this public body, will you advise the Chair and the board right now that proceeding with deliberations or taking any official action tonight without a 24-hour posted agenda is of concern and not permissible or will you advise them, in

the absences of certainty, that it is better to postpone until the rules, prior cases and precedents can be reviewed, or are you prepared to go on record and advise the board and authority that proceeding is acceptable.

I welcome your explicit legal advice on the record before a single other word is spoken by this board.

Jim McGee
Board Member