

MINUTES OF REGULAR MEETING OF JANUARY 20, 2010

The regular meeting of the Conemaugh Township Board of Supervisors was called to order at 7:00 p.m. on January 20, 2010 by Chairman Steven Buncich. Board members present were Steven Buncich, Chairman, Wayne Kauffman, Vice-Chairman, and Albert Zuccolotto, Assistant Secretary/Treasurer. Solicitor William Barbin was present.

Pledge to the Flag.

FLOOR OPENED TO PUBLIC COMMENT:

Joyce Graham, of Lost Valley Drive thanked Mr. Kauffman for taking care of the ice build up at the bottom of her road.

NOTIFICATION OF EXECUTIVE SESSSION:

The Supervisors met on January 12th with Solicitor Barbin and a police union representative to discuss the "Killed in Service Benefit", other general business was discussed also; and on January 13th with The EADS Group to discuss the sewer line extension to Lost Valley Drive.

MINUTES:

There was a motion by Mr. Zuccolotto, seconded by Mr. Kauffman, to accept the minutes of the regular meeting of December 16, 2009 and the reorganization meeting of January 4, 2010. Roll call vote: Mr. Zuccolotto – yes, Mr. Kauffman – yes, and Mr. Buncich – yes. Motion carried unanimously.

BILLS:

There was a motion by Mr. Zuccolotto, seconded by Mr. Kauffman, to pay the bills for the month of January 2010 in the amount of \$90,117.48 for the General Fund, \$41,705.58 for the Liquid Fuels Fund, \$112,549.94 for the Sewer Fund. Roll call vote: Mr. Zuccolotto – yes, Mr. Kauffman – yes, and Mr. Buncich – yes. Motion carried unanimously.

POLICE REPORTS:

The police report as submitted by Chief Louis Barclay for the month of December 2009 for the Conemaugh Township Police Department was available for review. Total reported incidents/complaints were 187. There was a motion by Mr. Kauffman, seconded by Mr. Zuccolotto, to accept the police report as submitted for the month of December 2009. Roll call vote: Mr. Kauffman – yes, Mr. Zuccolotto – yes, and Mr. Buncich – yes. Motion carried unanimously.

PERSONS TO BE HEARD:

Dave Garman, Jr. of Tire Hill Road was concerned about the \$100.00 fee to turn the water back on after shut off notices were sent out by the Sewer Department for non-payment of sewer bills. He felt that if someone could not pay their bill, the Township should not be charging them more money on top of the bill owed. Mr. Garman wanted to know if the Supervisors were looking into all possible avenues to eliminate increased costs to sewer customers and lower the debt, including looking for grants.

Chairman Buncich stated that the Water Authority billed the Sewer Department for the water shut offs and in turn the Sewer Department billed the customers involved. Mr. Zuccolotto stated that originally the sewer bills were to be figured at \$65.00, but now that figure has gone down

MINUTES OF JANUARY 20, 2010 MEETING CONTINUED.

substantially. He said the Township was pursuing payment from McKool, which would be a big boost. Mr. Zuccolotto stated there was really nothing else the Supervisors could do until the project was completed and the end cost was determined. It was also noted that the Township did receive a \$2,000,000.00 grant for this sewer project. Mr. Zuccolotto stated the Township had a policy in place to charge the \$100.00 fee for the shut off notices, which had been suggested by the auditors.

Mr. Garman wanted to know if there were any programs available to assist those who could not afford their sewer bills. Mr. Zuccolotto said they could go to St. Francis Caring and Sharing or St. Vincent DePaul, but those may be more of a one-time deal. He further stated that everyone comes up with the money once they were issued a shut off notice, and if they knew they were going to be able to make arrangements to pay the bill, why did they wait until they received a shut off notice and the \$100.00 fee—it would be more feasible to pay the bill in the first place.

Chairman Buncich added that the Supervisors had applied for a grant a few months ago, but was shot down probably because the Township had already received the \$2,000,000.00 grant for the current sewer project. He stated the application was put back in the pool for the next rounds.

Mr. Garman stated that the Supervisors should look at ways to bring down budget costs to lower the debt. He said the rumor was that once the Benscreek sewer was on line, the rates would go up. Mr. Zuccolotto stated that there was no doubt the rates would go up, but was not sure at this time how much—it depended on the end project cost. Solicitor Barbin noted that the final amortization for the project would be in July or August. Chairman Buncich stated that currently the sewer project was under budget.

CORRESPONDENCE:

1. There was a letter received from The Humane Society of Somerset County requesting a donation for 2010. It was noted that there was \$400.00 in the 2010 budget for this purpose. There was a motion by Mr. Zuccolotto, seconded by Mr. Kauffman, to donate \$400.00 to The Humane Society of Somerset County. Roll call vote: Mr. Zuccolotto – yes, Mr. Kauffman – yes, and Mr. Buncich – yes. Motion carried unanimously.

Chairman Buncich stated that the Township police department took stray dogs to the Somerset County Humane Society, so this donation was for their services.

2. There was a letter received from Marvin Thomas requesting to be appointed to the Township's Fire Services Review Committee. There was a motion by Mr. Buncich, seconded by Mr. Zuccolotto, to appoint Marvin Thomas to the Township's Fire Services Review Committee. Roll call vote: Mr. Buncich – yes, Mr. Zuccolotto – yes, and Mr. Kauffman – yes. Motion carried unanimously.

OLD BUSINESS:

None.

NEW BUSINESS:

1. **LAND DEVELOPMENT:** The Conemaugh Township Zoning Hearing Board approved this modification and alteration of the non-conforming use at this property on November 19, 2009 with the actual decision being on December 28, 2009. This site development plan was

MINUTES OF JANUARY 20, 2010 MEETING CONTINUED.

approved by the Conemaugh Township Planning Commission on January 6, 2010. There was a motion by Mr. Kauffman, seconded by Mr. Zuccolotto, to approve the site development plan of McIlwain School Bus Lines, Inc., owner & applicant, for the construction of a new 50' x 100' storage garage and removal of an existing metal Quonset hut on the property located along Saylor School Road. Roll call vote: Mr. Kauffman – yes, Mr. Zuccolotto – yes, and Mr. Buncich – yes. Motion carried unanimously.

2. **MINOR SBUDIVISION:** This plan was approved by the Conemaugh Township Planning Commission on January 6, 2010. There was a motion by Mr. Kauffman, seconded by Mr. Zuccolotto, to approve the subdivision plan of Betty L. Campbell, owner and applicant, to subdivide a 33.2749 acre tract into two lots and at the same time convey a 1.3499 acre portion of land to an adjoining property owner, creating Lot 2-1 (14.6581acres) and Lot 2-2 (17.2669 acres); plan also depicts the merger of 1.3499 acre with the existing 1.5361 acre lands of Michael J. & Tammy L. Sharretts resulting in a new Sharretts property containing 2.8859 acres. Roll call vote: Mr. Kauffman – yes, Mr. Zuccolotto – yes, and Mr. Buncich – yes. Motion carried unanimously.

PHASE II BENSCREEK SANITARY SEWER PROJECT

1. **ENGINEER UPDATE:** Chairman Buncich stated that the engineers were not present tonight. The Engineers' Report was in their packets. He said if anyone had any questions for the Engineers to let the Supervisors know and they would be forwarded on to The EADS Group.

2. **PROJECT INVOICES:** There was a motion by Mr. Zuccolotto, seconded by Mr. Kauffman, to approve the payment of the following invoices for the Benscreek Sanitary Sewer Project totaling \$651,806.64:

<u>Payee</u>	<u>Total</u>	<u>Description</u>
Ligonier Construction Co.	\$178,430.62	Construction - Contract 05-S-03
Ligonier Construction Co.	\$374,178.86	Construction - Contract 05-S-04
Ligonier Construction Co.	\$ 63,000.45	Construction - Contract 05-S-05
Atty. Bill Gleason-Barbin	\$ 367.82	Legal
EADS Group, Inc.	\$ 25,472.80	A/E Fees – Inspection
EADS Group, Inc.	\$ 1,228.95	Administration
EADS Group, Inc.	\$ 6,000.00	A/E Fees - Basic Design
EADS Group, Inc.	\$ 51.27	Permit Renewal
First Commonwealth Bank	\$ 3,075.87	Interest during Construction

Roll call vote: Mr. Zuccolotto – yes, Mr. Kauffman – yes, and Mr. Buncich – yes. Motion carried unanimously.

3. **LOST VALLEY DRIVE SEWER LINE EXTENSION:** There was a motion by Mr. Zuccolotto, seconded by Mr. Kauffman, to approve the installation of the Lost Valley Drive Sewer Line Extension at a cost not to exceed \$150,000.00 to provide service to eight additional EDU's; to send a letter to the DEP planning department requesting amendment to the recently completed Act 537 Plan for the Benscreek Sanitary Sewer Project; and to direct The EADS Group to proceed with design and permitting. Roll call vote: Mr. Zuccolotto – yes, Mr. Kauffman – yes, and Mr. Buncich – yes. Motion carried unanimously.

4. **TIME EXTENSION – LIGONIER CONSTRUCTION:** The Contractor requested additional time to complete the following Contracts. There was a motion by Mr. Zuccolotto, seconded by Mr. Kauffman, to approve Change Order No. 6 for Contract 05-S-03 – Area A;

MINUTES OF JANUARY 20, 2010 MEETING CONTINUED.

Change Order No. 4 for Contract 05-S-04 – Area B; and Change Order No. 6 for Contract 05-S-05 – Area C to extend the completion date on these Contracts nine days with the new completion date for the above-listed Contracts being February 26, 2010 – no change in Contract price; Ligonier Construction Co. will be responsible for payment of any additional man hours required for inspection by The EADS Group, Inc. from 2/16/2010 to 02/26/2010. Roll call vote: Mr. Zuccolotto – yes, Mr. Kauffman – yes, and Mr. Buncich – yes. Motion carried unanimously.

ITEMS FOR DISCUSSION:

At this time, Chairman Buncich opened the floor for public comments. He read a letter received from Leo Marisa in which Mr. Marisa stated that in 1994 the Zoning Hearing Board granted Patti Besyk a non-conforming use to open a dog boarding kennel without their knowledge, using a road the Marisa's owned. The letter further stated that on November 19, 2009 the Zoning Hearing Board allowed this kennel to stay open. Mr. Marisa was requesting that the Township bear the cost to them for the added liability insurance and road maintenance expenses caused by the Zoning Hearing Board's actions.

Solicitor Barbin stated that the Township was not permitted to pay this, it had to be a public road first. Mr. Zuccolotto felt it was a shame that the Marisa's had to be stuck with those bills.

Rich Maldet of Fernwood Drive was concerned about fire safety at Laurel View Village. Chairman Buncich stated that Laurel View had been passing all the inspections so far. Mr. Maldet asked if anything had been done about the water supply. He felt nothing was under control and the fire companies did not have the proper fire equipment to protect Laurel View. Mr. Maldet wanted to know how those living at Laurel View would be evacuated if there were another fire there – heavy duty equipment was needed. Mr. Maldet asked if Laurel View paid taxes. Chairman Buncich said they paid taxes on certain parts of Laurel View.

Mr. Maldet was also concerned that the Supervisors were trying to eliminate some of the Township's fire companies and equipment. He felt there were too many miles in the Township to do that. Mr. Zuccolotto corrected Mr. Maldet stating that no Supervisor was trying to get rid of the fire companies. Consolidation of the fire companies was being looked into because of the response time. Mr. Zuccolotto said it was the Supervisors' responsibility for fire protection. He reiterated that the bottom line was safety and response time; no one was trying to get rid of the fire companies.

Mr. Maldet felt the problem was that the fire companies did not have the firemen needed and that was why the response time was not there. He stated he was mostly concerned about Laurel View Village since it was still growing. Chairman Buncich stated that the Supervisors had sat through numerous meetings with officials concerning the problems involving the fire companies and it was the same problem all over. He noted that the fire companies could have the best equipment available, but if no one responded, it was no good—the fire companies needed to get together. Mr. Maldet felt that would never happen.

Dave Garman, Sr. of Tire Hill wanted to know if the Township could do like the City of Johnstown did when they charged Memorial Hospital, who was tax exempt, a lump sum. Solicitor Barbin stated that Memorial Hospital had settled a case with the City and had to pay a lump sum. Mr. Garman asked why the Township lets the “dead heads” get away with not paying the Township.

MINUTES OF JANUARY 20, 2010 MEETING CONTINUED.

Mr. Zuccolotto felt that Laurel View Village should pay and said he would contact the Tax Collector to see what taxes they were currently paying.

Joyce Graham of Lost Valley Drive stated that on January 4, 2010 Mr. Buncich was appointed as a roadmaster for the Township, and then on January 8, 2010, an article was in the paper that he was appointed to the Resolution Committee with PSATS. She wanted to know how he was going to be paid when he attended the meetings for this Committee—would he be paid the roadmaster rate of pay. Chairman Buncich stated that PSATS would be paying his expenses. He did not know if they would pay his salary, but if they did not, he said he would be using his own time. Chairman Buncich said he did not know all the particulars yet. Mr. Zuccolotto felt that Mr. Buncich should be paid by the Township to attend those meetings since it was a valuable asset to the Township to be on the Resolution Committee.

Dave Garman, Sr. asked if the Supervisors had plans to fix any roads this summer. Chairman Buncich said they would look at the roads when the weather broke and would prioritize, noting that not all roads could be done at the same time—they would look at the most heavily traveled. Mr. Garman said his road was very bad and if something was not done soon, it would be completely lost. Mr. Zuccolotto stated that he had a plan he was working on at home to do most of the roads in the Township. He said he would meet with Solicitor Barbin to see if it was possible to do it his way, since it had never been done that way before.

ANNOUNCEMENTS:

1. The next regularly scheduled meeting of the Township Supervisors will be held on Wednesday, February 17, 2010 at 7:00 p.m.

ADJOURNMENT:

There was a motion by Mr. Kauffman, seconded by Mr. Zuccolotto, to adjourn the meeting at 7:36 p.m.

Submitted by,

Cindy L. Walerysiak, Secretary/Treasurer