

MINUTES OF PUBLIC HEARING OF MAY 22, 2002

A public hearing of the Conemaugh Township Board of Supervisors was called to order at 6:00 p.m. on May 22, 2002 by Chairman Robert Rouser. Board members present were Robert Rouser, Chairman, Albert Zuccolotto, Secretary-Treasurer, and David Hart, Vice-Chairman. Solicitor Barbin was also present. This hearing was scheduled to receive public comment regarding the proposed Ordinance No. 644 amending the Conemaugh Township Zoning Map to change the Heavy Industrial (I-H) Zoning District located on the north side of Penn Avenue near the intersection of Penn Avenue (SR 0601) and Plank Road (SR 4019) to a Multi-Family Residential (R-2) Zoning District. No comments were received. There was a motion by Mr. Zuccolotto, seconded by Mr. Hart, to adjourn the public hearing at 6:01 p.m. Motion carried unanimously

MINUTES OF REGULAR MEETING OF MAY 22, 2002

The regular meeting of the Conemaugh Township Board of Supervisors was called to order at 6:01 p.m. on May 22, 2002 by Chairman Robert Rouser. Board members present were Robert Rouser, Chairman, Albert Zuccolotto, Secretary-Treasurer, and David Hart, Vice-Chairman. Solicitor William Barbin was also present.

Pledge to the Flag.

FLOOR OPENED TO PUBLIC COMMENT ON AGENDA ITEMS:

None.

MINUTES OF MAY 22, 2002 MEETING CONTINUED

MINUTES:

The minutes of the regular meeting of April 10, 2002 were distributed. There was a motion by Mr. Zuccolotto, seconded by Mr. Hart, to accept the minutes of the regular meeting of April 10,

2002. Roll call vote: Mr. Zuccolotto – yes, Mr. Hart – yes, and Mr. Rouser – yes. Motion carried unanimously.

BILLS:

There was a motion by Mr. Hart, seconded by Mr. Zuccolotto, to pay the bills for the month of May 2002 in the amount of \$11,336.86 for the General Fund, \$3,446.58 for the Liquid Fuels Fund, and \$19,997.10 for the Sewer Department. Roll call vote: Mr. Hart – yes, Mr. Zuccolotto – yes, and Mr. Rouser – yes. Motion carried unanimously.

POLICE REPORT:

The police report submitted by Chief Louis Barclay for the month of April 2002 for Conemaugh Township and Benson Borough was read. There was a motion by Mr. Zuccolotto, seconded by Mr. Hart, to accept the police reports for the month of April 2002 for the Township and Benson Borough. Roll call vote: Mr. Zuccolotto – yes, Mr. Hart – yes, and Mr. Rouser – yes. Motion carried unanimously.

PERSONS TO BE HEARD:

1. Leo Marisa of Marisa Lane had a question as to why Dave Hart showed up on April 27th regarding a private issue. Mr. Hart stated that Carl Coughenour had called him concerning a problem and when he got there, he realized it was a private matter, so he left.

CORRESPONDENCE:

1. A letter was received from the Somerset Memorial Day Committee, Inc. requesting a donation toward their Memorial Day Parade and Ceremony to be held on May 27, 2002 in Somerset. Mr. Zuccolotto noted that this donation was not in the budget, and if this Committee wished to ask for the Township's support, they must do so well in advance so that it could be placed in the budget in the future. There was a motion by Mr. Zuccolotto, seconded by Mr. Hart, not to give a donation at this time to the Somerset Memorial Day Committee as it was not budgeted. Roll call vote: Mr. Zuccolotto – yes, Mr. Hart – yes, and Mr. Rouser – yes. Motion carried unanimously.

OLD BUSINESS:

None.

NEW BUSINESS:

1. **AWARD BID FOR MUNICIPAL BUILDING NEW ROOF:** Chairman Rouser read the results of the bid opening for a new municipal building roof which was held May 22, 2002 at 1:30 p.m. in the Township's Board room, as had been properly advertised. Results were as **MINUTES OF MAY 22, 2002 MEETING CONTINUED**

follows: 1) Rosey Construction of Hooversville – Phase I - \$46,100.00, Phase II - \$48,700.00, for a grand total bid of \$94,800.00. 2) Covenant Properties of Johnstown – Phase I - \$38,985.00, Phase II - \$54,785.00, for a grand total bid of \$93,770.00. 3) Trevdeck Construction of Hollsopple – Phase I - \$61,866.94, Phase II - \$59,762.00, for a grand total bid of \$121,628.94. 4) Metco, Inc. of Johnstown – Phase I - \$55,250.00, Phase II - \$55,385.00, for a grand total bid of \$110,635.00. 5) Capitol Construction, Inc. of Windber – Phase I - \$38,423.00, Phase II - \$48,740.00, for a grand total bid of \$87,163.00. Mr. Zuccolotto stated that the project was broken into two phases for bidding because the bids were expected to come in high. There is \$70,000.00 in the budget for this new roof. He felt that since Capitol Construction came in as over all low bidder, the whole roof could be done this year. Mr. Zuccolotto further stated that if only one phase was completed this year, the other phase would have to be rebid next year and he felt that the \$17,000.00 over the budgeted amount of \$70,000.00 would be lost. Mr. Zuccolotto indicated that he requested references from Capital Construction, which he did call, and the references were all very good.

There was a motion by Mr. Zuccolotto, seconded by Mr. Hart, to award the bid for the installation of a new roof on the municipal building to Capitol Construction, Inc., 541 Main

Street, Windber, PA, and that Capital Construction is to provide to the Township with a certificate of insurance showing at least \$1,000,000.00 of liability insurance, proof of Workers Compensation coverage, and shall furnish a performance bond to the Township in the amount of 100% of the contract within 20 days of award of the bid; project to be 100% complete on or before August 31, 2002. Roll call vote: Mr. Zuccolotto – yes, Mr. Hart – yes, and Mr. Rouser – yes. Motion carried unanimously.

2. **ORDINANCE NO. 644:** There was a motion by Mr. Zuccolotto, seconded by Mr. Hart, to adopt Ordinance No. 644 amending the Conemaugh Township Zoning Map to change the Heavy Industrial (I-H) Zoning District located on the north side of Penn Avenue near the intersection of Penn Avenue (SR 0601) and Plank Road (SR 4019) to a Multi-Family Residential (R-2) Zoning District. Roll call vote: Mr. Zuccolotto – yes, Mr. Hart – yes, and Mr. Rouser – yes. Motion carried unanimously.

3. **RESIGNATION FROM CTMA:** There was a motion by Mr. Hart, seconded by Mr. Zuccolotto, to accept resignation of Dave Duray from the Conemaugh Township Municipal Authority. Roll call vote: Mr. Hart – yes, Mr. Zuccolotto – yes, and Mr. Rouser – yes. Motion carried unanimously. Mr. Zuccolotto noted that the new policy to follow in this instance would be that anyone interested in fulfilling this vacancy would submit their name to either the Supervisors or the CTMA. Any names received by the Supervisors would be immediately turned over the CTMA. After the CTMA has made their choice of whom they would like to be appointed to the vacancy, that name would then be submitted to the Supervisors for final approval.

4. **SCHEDULING POLICY FOR POLICE DEPARTMENT:** There was a motion by Mr. Hart, seconded by Mr. Zuccolotto, to adopt a Conemaugh Township Police Department Scheduling Policy containing a Declaration of Procedures to be utilized in developing monthly work schedules for all officers of the Department. Roll call vote: Mr. Hart – yes, Mr. Zuccolotto – yes, and Mr. Rouser – yes. Motion carried unanimously.

MINUTES OF MAY 22, 2002 MEETING CONTINUED

5. **POLICE DEPARTMENT POLICY #19:** There was a motion by Mr. Zuccolotto, seconded by Mr. Hart, to adopt Conemaugh Township Police Department Policy #19, Officer In Charge (OIC), describing the procedure to follow in the absence of the Chief, Sergeant, and Detective. Roll call vote: Mr. Zuccolotto – yes, Mr. Hart – yes, and Mr. Rouser – yes. Motion carried unanimously.

6. **RESOLUTION R01-02:** There was a motion by Mr. Zuccolotto, seconded by Mr. Hart, to adopt Resolution R01-02 expressing Conemaugh Township's support of the Conemaugh Valley Conservancy and its partners to establish the Kiski-Conemaugh Water Trail in the Kiski-Conemaugh River Basin. Roll call vote: Mr. Zuccolotto – yes, Mr. Hart – yes, and Mr. Rouser – yes. Motion carried unanimously.

7. **FIREWORKS DISPLAY FOR JEROME FIRE COMPANY:** There was a motion by Mr. Zuccolotto, seconded by Mr. Hart, to give permission to the Jerome Volunteer Fire Company and Ronald W. Wanko to shoot a fireworks display on the hill behind the Jerome Fire Hall at approximately 9:30 p.m. on Saturday, June 22, 2002, with a rain date of Sunday, June 23

or 30, 2002; insurance will be in the amount of \$2,000,000. Roll call vote: Mr. Zuccolotto – yes, Mr. Hart – yes, and Mr. Rouser – yes. Motion carried unanimously.

8. **FIREWORKS DISPLAY FOR CONNUMACH LIONS CLUB:** There was a motion by Mr. Zuccolotto, seconded by Mr. Hart, to give permission to the Connumach Lions Club and Ronald W. Wanko to shoot a fireworks display at Maple Springs Grove at approximately 9:30 p.m. on Monday, August 19, 2002; insurance will be in the amount of \$1,000,000. Roll call vote: Mr. Zuccolotto – yes, Mr. Hart – yes, and Mr. Rouser – yes. Motion carried unanimously.

9. **SALE OF ROLLER:** Mr. Zuccolotto stated that this roller had been put out for bid in the past with no responses received. The price for scrap on the roller is \$1,000.00, which is the price Adams Township will pay to purchase the roller. Adams Township plans to use certain parts from this roller to make one good roller. There was a motion by Mr. Zuccolotto, seconded by Mr. Hart, to approve selling the 1978 Gallon 3-Wheel Diesel Roller to Adams Township for \$1,000.00. Roll call vote: Mr. Zuccolotto – yes, Mr. Hart – yes, and Mr. Rouser – yes. Motion carried unanimously.

10. **RESOLUTION R02-02:** There was a motion by Mr. Zuccolotto, seconded by Mr. Hart, to adopt Resolution R02-02 reducing the licensing fee from \$200.00 to \$25.00 under Ordinance No. 638 regarding the licensing of certain commercial establishments in which projectiles may leave the property. Roll call vote: Mr. Zuccolotto – yes, Mr. Hart – yes, and Mr. Rouser – yes. Motion carried unanimously.

11. **EXCESS MAINTENANCE AGREEMENT WITH CSA:** There was a motion by Mr. Hart, seconded by Mr. Zuccolotto, to approve an Excess Maintenance Agreement with the Cambria Somerset Authority for the use of Quemahoning Dam Road, TR-743. Roll call vote: Mr. Hart – yes, Mr. Zuccolotto – yes, and Mr. Rouser – yes. Motion carried unanimously.

MINUTES OF MAY 22, 2002 MEETING CONTINUED

12. **PERFORMANCE BOND OF MANNO CONSTRUCTION:** There was a motion by Mr. Zuccolotto, seconded by Mr. Hart, to accept assignment of \$150,000.00 of the Performance Bond of Manno Construction, Inc. in lieu of Road Bond for Cambria Somerset Authority. Roll call vote: Mr. Zuccolotto – yes, Mr. Hart – yes, and Mr. Rouser – yes. Motion carried unanimously.

13. **TEMPORARY CLOSING OF QUEMAHONING DAM ROAD:** There was a motion by Mr. Hart, seconded by Mr. Zuccolotto, to permit the temporary closing of Quemahoning Dam Road, TR-743, during the Que Dam Breast Project construction, and approval of the detour and closing plan of the Cambria Somerset Authority. Roll call vote: Mr. Hart – yes, Mr. Zuccolotto – yes, and Mr. Rouser – yes. Motion carried unanimously.

14. **MINOR SUBDIVISION PLAN:** There was a motion by Mr. Zuccolotto, seconded by Mr. Hart, to approve a minor subdivision request from Donald G. and Rosanna M. Diller, Owners and Applicants, plan prepared by Crouse & Company, to create a 1.551 parcel for adjoining land merger with property of Todd M. Beahr et. al; the Conemaugh Township

Planning Commission approved this subdivision on May 14, 2002. Roll call vote: Mr. Zuccolotto – yes, Mr. Hart - yes, and Mr. Rouser – yes. Motion carried unanimously.

FLOOR OPENED TO PUBLIC COMMENT:

Lou Hubert of Soap Hollow Road said that he had been here before on this same matter. He stated that the water line installed by the CTMA across Soap Hollow Run approximately 3-4 years ago is not deep enough and it is like a dam there. Mr. Hubert asked if any of the Supervisors had looked at this problem. He was answered that they had not. Mr. Hubert indicated that the high water in this area is washing up over the bank and into his yard. This is located right along Soap Hollow Road. The Supervisors informed Mr. Hubert that the CTMA would be contacted about this problem and asked to go with them to look at the problem. They would make sure Mr. Hubert was present. The State would also have to be contacted since it is a State road and no work could be done on a State road without their approval. It was further stated by the Supervisors that if this road were a Township road, they would take care of the problem. Mr. Hubert also informed the Supervisors that the bank of this stream is coming down onto Soap Hollow Road between Blackner and Soap Hollow Roads. Mr. Rouser stated that rip rath should be installed there.

ANNOUNCEMENTS:

1. The next regularly scheduled meeting of the Township Supervisors will be held on Wednesday, June 19, 2002 at 6:00 p.m.

ADJOURNMENT:

There was a motion by Mr. Hart, seconded by Mr. Zuccolotto, to adjourn the meeting at 6:30 p.m.

Submitted by,

Albert E. Zuccolotto, Secretary/Treasurer