

MINUTES OF REGULAR MEETING OF OCTOBER 23, 2002

The regular meeting of the Conemaugh Township Board of Supervisors was called to order at 6:00 p.m. on October 23, 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:

The minutes of the regular meeting of September 18, 2002 were distributed. There was a motion by Mr. Zuccolotto, seconded by Mr. Hart, to accept the minutes of the regular meeting of September 18, 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 October 2002 in the amount of \$11,576.78 for the General Fund, \$1,168.11 for the Liquid Fuels Fund, and \$35,761.15 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 September 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 September 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. **Charlotte and Ed Nelson** of Windber wished to complain about two junk vehicles that were being stored across from a home they own on Maple Ridge Road causing an eyesore. Mrs. Nelson stated that she has been in touch with Zoning Officer McGee and Mr. Zuccolotto for approximately one year regarding this matter. The junk vehicles are on property owned by Andy Marcinko, but Mr. Marcinko is not the owner of the vehicles. Mrs. Nelson stated that she did not want these vehicles across the street from her property. Mr. Nelson noted that these vehicles have been covered with a tarp since Saturday, but the tarps are not completely covering the vehicles. He stated that these vehicles have been sitting there for two years, it is time for them to be removed, and he wanted to know what the Township was going to do about it.

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Mr. Zuccolotto stated that the police went to look at the situation and the owner of these vehicles has indicated that he is willing to cooperate in removing the vehicles. According to the Township Ordinance, the first step is to send a letter to the individual and give them thirty days to comply. If they do not comply, then a hearing is set up with the District Justice, and another thirty days is given to rectify the matter.

CORRESPONDENCE:

None.

OLD BUSINESS:

None.

NEW BUSINESS:

1. **NON-UNIFORM PENSION PLAN DEPOSIT:** There was a motion by Mr. Zuccolotto, seconded by Mr. Hart, to ratify the October 3, 2002 deposit of \$82,437.00 into the Non-Uniform Pension Plan with Mass Mutual Retirement Services, which represents the minimum municipal obligation to the Plan for the year 2002 (\$77,363.04 from 2002 State Aid; \$5,073.96 from General Fund). Roll call vote: Mr. Zuccolotto – yes, Mr. Hart – yes, and Mr. Rouser – yes. Motion carried unanimously.

2. **FOREIGN FIRE RELIEF FUND DISTRIBUTION:** It was noted that the Hollsopple Fire Company gets less of the Township's Foreign Fire Relief monies since they also receive relief funds from Benson Borough and Paint Township, which in total approximately equals the amount received by the other fire companies. There was a motion by Mr. Zuccolotto, seconded by Mr. Hart, to ratify the October 2, 2002 distribution of the 2002 Foreign Fire Relief Funds in the amount of \$32,076.17 as follows: Krings Volunteer Firemen Relief Association (C.T. Fire Co.) - \$9,302.09; Ideal Volunteer Fire Company Firemen's Relief Association - \$9,302.09; Jerome Volunteer Firemen's Relief Association - \$9,302.09; and Community Volunteer Fire Company of Hollsopple Relief Association - \$4,169.90. Roll call vote: Mr. Zuccolotto– yes, Mr. Hart– yes, and Mr. Rouser – yes. Motion carried unanimously.

3. **UPPER YODER TOWNSHIP SNOW REMOVAL AGREEMENT:** There was a motion by Mr. Zuccolotto, seconded by Mr. Hart, to approve a snow removal agreement for the winter season of 2002-2003 with Upper Yoder Township for removal of snow on Coon Ridge Road within Conemaugh Township for a cost of \$1,300.00. Roll call vote: Mr. Zuccolotto – yes, Mr. Hart – yes, and Mr. Rouser – yes. Motion carried unanimously.

4. **REAL ESTATE TAX EXONERATION FOR CSA:** There was a motion by Mr. Zuccolotto, seconded by Mr. Hart, to approve real estate tax exoneration for 2001 for the Cambria Somerset Authority in the amount of \$1,203.44, plus any accumulated interest and penalties. Roll call vote: Mr. Zuccolotto– yes, Mr. Hart– yes, and Mr. Rouser – yes. Motion carried unanimously.

5. **SEWER DEPARTMENT UNION CONTRACT:** Solicitor Barbin stated that Mr. McCauliff, Manager of the Sewer Department, has made very minor changes to the current union

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contract and it now needs to be sent to the Teamsters for acceptance. There was a motion by Mr. Zuccolotto, seconded by Mr. Hart, to approve the proposed Sewer Department Employee Contract with the Teamsters Union. Roll call vote: Mr. Zuccolotto – yes, Mr. Hart – yes, and Mr. Rouser – yes. Motion carried unanimously.

6. **FINAL COST ON SLAGLE PROPERTY:** Solicitor Barbin stated that this matter deals with the property in Jerome that is an eyesore. The purchase of this property by the Township will enable the Township to tear it down. The Township will be reimbursed \$764.33 for expenses already paid by the Township. The Township will also be reimbursed for the taxes owed on this property. Mr. Zuccolotto noted that originally CDBG funds were to be used to demolish the property, but the fire department has requested to burn the house down. He also noted that the landfill has agreed to take the debris free of charge. If this is done, the CDBG funds could be used for another project.

There was a motion by Mr. Hart, seconded by Mr. Zuccolotto, to approve the final purchase price of \$1,951.30 for the judicial sale of the Slagle property. Roll call vote: Mr. Hart – yes, Mr. Zuccolotto – yes, and Mr. Rouser – yes. Motion carried unanimously.

7. **LAND DEVELOPMENT:** The Conemaugh Township Planning Commission at its October 8, 2002 meeting gave conditional approval of this development. There was a motion by Mr. Zuccolotto, seconded by Mr. Hart, to conditionally approve a land development request from Conemaugh Township EMS, Owner & Applicant, Land Development Plan prepared by Earthtech, Inc. and sealed by David R. Mills, P.E., to develop the above property for an EMS station as shown on drawings S-1 through S-4, L-1 and L-2; this approval is contingent upon outstanding engineering deficiencies being corrected. Roll call vote: Mr. Zuccolotto – yes, Mr. Hart – yes, and Mr. Rouser – yes. Motion carried unanimously.

8. **MINOR SUBDIVISION:** The Conemaugh Township Planning Commission at its special meeting of October 21, 2002 meeting gave conditional approval of this subdivision, and satisfactory comment has been received from the Somerset County Planning Commission. There was a motion by Mr. Hart, seconded by Mr. Zuccolotto, to approve a minor subdivision plan request from Kenneth D. Kozak, Applicant, Mary Jane & Kenneth G. Kozak, Property Owner, Subdivision Plan sealed by Charles Bernard Harnett, P.R.S., to create a 1.84 acre parcel having no development thereon, leaving a parent parcel residue of approximately 1.46 acres. Roll call vote: Mr. Hart – yes, Mr. Zuccolotto – yes, and Mr. Rouser – yes. Motion carried unanimously.

FLOOR OPENED TO PUBLIC COMMENT:

Shawn Adams of the Conemaugh Township Volunteer Fire Company wanted to make the Supervisors aware of a situation regarding a house on Soap Hollow Road that is ready to collapse inside. He stated that the fire company would not go into that house if they received a call to go there. Solicitor Barbin stated that this situation would be appropriate for a nuisance letter to go out to the property owner informing them of what they would have to do to correct the matter, giving them thirty days to comply. If the situation were not rectified within the thirty days, the Township would have the right to demolish the property and attach a lien.

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Melissa Shull of Seanor Road indicated that she had been made aware that the Alberta Mining Company is looking to put in a strip mine behind Maple Ridge, which would also be behind her residence. She stated that this area is zoned Residential and asked if the mining company would need a special variance for the strip mine. Solicitor Barbin answered that they would need a variance from the Conemaugh Township Zoning Hearing Board. He further stated that he has talked to DEP in Harrisburg, and the Zoning Officer also has given them the necessary information in this matter. Solicitor Barbin noted that everyone had the right to apply, but stated that it would be his understanding at this point that the Township would object to any changes in the zoning in that area because it is a residential area.

Jeff Hay, President of the Conemaugh Township Little League, wished to give the Supervisors a “wish” list of items needed at the Little League field in Hollsopple. He stated that they were looking to create more interest in softball and baseball. Mr. Hay asked to review the list with the Supervisors. Mr. Zuccolotto informed Mr. Hay that the Recreation Commission meets tomorrow night and if representatives from the Little League would attend, they can discuss the list at that time. Mr. Hay said they would be attending the meeting. Mr. Zuccolotto further stated that the Supervisors wanted to have the Recreation Commission involved with the Little League, mainly for recreational grant purposes, and that recreation within the Township should be grouped together for support.

ANNOUNCEMENTS:

1. The next regularly scheduled meeting of the Township Supervisors will be held on Wednesday, November 20, 2002 at 6:00 p.m.

ADJOURNMENT:

There was a motion by Mr. Zuccolotto, seconded by Mr. Hart, to adjourn the meeting at 6:36 p.m.

Submitted by,

Albert E. Zuccolotto, Secretary/Treasurer