

MINUTES OF SPECIAL MEETING OF JANUARY 15, 2003

A special meeting of the Conemaugh Township Board of Supervisors was called to order at 6:00 p.m. on January 15, 2003 by Chairman Robert Rouser. Board members present were Robert Rouser, Chairman, Albert Zuccolotto, Secretary-Treasurer, and David Hart, Vice-Chairman. Solicitor William Barbin was absent.

Pledge to the Flag.

BILLS:

There was a motion by Mr. Hart, seconded by Mr. Zuccolotto, to pay the bills for the month of January 2003 in the amount of \$5,774,22 for the General Fund, \$10,319.35 for the Liquid Fuels Fund, and \$5,366.81 for the Sewer Department. Roll call vote: Mr. Hart – yes, Mr. Zuccolotto – yes, and Mr. Rouser – yes. Motion carried unanimously.

NEW BUSINESS:

1. **MINOR SUBDIVISION:** There was a motion by Mr. Zuccolotto, seconded by Mr. Hart, to approve the property subdivision of Arden L. and Doris M. Yoder, Owners & Applicants, to subdivide a 34.9-acre lot into two lots; one-acre lot has an existing dwelling and septic system; both parcels front on State Route 985; public water is available; and both lot sizes are larger than minimum lot size required by ordinances. Statement of ownership has been properly signed and notarized. On January 14, 2003, the Planning Commission recommended for Supervisor's approval. Roll call vote: Mr. Zuccolotto – yes, Mr. Hart – yes, and Mr. Rouser – yes. Motion carried unanimously.

2. **ENGINEERING CONTRACT:** Russ McCauliff, Sewer Department Manager, explained the engineering contract particulars to the Board. There was a motion by Mr. Hart, seconded by Mr. Zuccolotto, to approve additional engineering expenses by Paul C. Rizzo Associates for the sanitary sewer extensions involving Phase I Tire Hill Sewer Project, which will service Indian Valley STP, Riverside STP, Miller Picking STP, and Weber Road for a total engineering fee estimated at \$30,365.00; work to be performed under the terms for consulting services as approved at the December 18, 2002 meeting of the Township Supervisors. Roll call vote: Mr. Hart – yes, Mr. Zuccolotto – yes, and Mr. Rouser – yes. Motion carried unanimously.

At this point, Mr. Zuccolotto wished to discuss matters regarding the Conemaugh Township Municipal Authority. He stated that he had the minutes of Benson Borough's meeting where they allowed John Mastillo of the CTMA to withdraw his resignation from that Authority. Mr. Zuccolotto explained that there was a lot of controversy surrounding this issue and the Township has discussed the matter with their attorney who contacted Benson Borough's attorney. Both attorneys agreed that this motion by Benson Borough Council would need to be further reviewed for legalities. Mr. Zuccolotto stated that the Township was advised by its attorney to get this settled. Benson Borough will not be allowed to appoint anyone to John Mastillo's position since that person appointed might be operating illegally – anything that would transpire after that appointment would be null and void. Mr. Zuccolotto indicated that the safest thing to do, since there are openings on the Board, is for the Supervisors to appoint John Mastillo to the CTMA Board until this case is settled, so that the CTMA can continue to operate legally. Mr. Zuccolotto stated that he was going to listen to the attorneys, which he will do every time, and make a motion to appoint John Mastillo to the CTMA Board. Mr. Hart asked if Benson Borough removed Mr. Mastillo from the Board. Mr. Zuccolotto answered, no; they asked him to stay on -

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it was in the newspaper that they asked him to stay on and that they felt he was doing a good job. Mr. Zuccolotto noted that Mr. Mastillo had also talked to him about resigning his position from the CTMA and Mr. Zuccolotto had responded that leaders do not quit, and that he does not like to see anyone quit; but it was Mr. Mastillo's decision. Mr. Zuccolotto further stated that the Supervisors have no authority over the CTMA once a member is appointed to the Board. He did not want to see the CTMA moving on with discussions and decisions, and then turn around to find that everything was null and void because Benson Borough was wrong in what they did. Mr. Zuccolotto felt that the decision should be made for the good of the people and the CTMA, not politically.

Mr. Hart stated that he also had heard a lot of controversy surrounding the CTMA. He said he was told that a lot of it was blamed on John Mastillo. Mr. Hart noted that there were still four members on the CTMA Board; therefore they do have a quorum to conduct business. Mr. Hart further indicated that at a Township meeting last year, the Supervisors established a policy that when an individual would turn their name into the Supervisors to be appointed to the CTMA, that name would be turned over to the CTMA for recommendation. Mr. Rouser stated that this was done as a courtesy to the CTMA; the Supervisors tried it, but it did not work. Mr. Hart wanted to know if the Supervisors needed to change the policy. Mr. Rouser informed Mr. Hart that a motion was not made on this policy; it was just a courtesy, so the Supervisors do not have to do anything. He further stated that the Supervisors are here for the people of Conemaugh Township and decisions should be made for what is best for the people and the Township, and that is how he is voting. Mr. Zuccolotto also wished to note that the CTMA is in good shape.

There was a motion by Mr. Zuccolotto, seconded by Mr. Rouser, to appoint Mr. John Mastillo to fill the unexpired term of Mr. Edward Hart on the Conemaugh Township Municipal Authority Board, term to expire January 2, 2006. At this point, Mr. Hart read the minutes of Township meeting of January last year where Mr. Zuccolotto answered John Mastillo about the Vernon Henry vacancy that an individual would submit a name to the Supervisors for a CTMA vacancy, the Supervisors would send the name to the CTMA, and they can vote on who they want on their Board, sending the recommendation back to the Supervisors for final decision. Both Mr. Zuccolotto and Mr. Rouser noted that no motion was made to that effect; and that there currently was a motion on the floor. Roll call vote: Mr. Zuccolotto – yes, Mr. Rouser – yes, and Mr. Hart – no. Motion carried, two – yes, one – no.

FLOOR OPENED TO PUBLIC COMMENT:

None.

ADJOURNMENT:

There was a motion by Mr. Zuccolotto, seconded by Mr. Hart, to adjourn the meeting at 6:19 p.m.

Submitted by,

Albert E. Zuccolotto, Secretary/Treasurer