

MINUTES OF REGULAR MEETING OF SEPTEMBER 17, 2003

The regular meeting of the Conemaugh Township Board of Supervisors was called to order at 6:00 p.m. on September 17, 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 present.

Pledge to the Flag.

FLOOR OPENED TO PUBLIC COMMENT ON AGENDA ITEMS:

None.

MINUTES:

The minutes of the regular meeting of August 20, 2003 and Special Meeting of September 8, 2003 were distributed. There was a motion by Mr. Zuccolotto, seconded by Mr. Hart, to accept the minutes of the regular meeting of August 20, 2003 and Special Meeting of September 8, 2003. 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 September 2003 in the amount of \$5,057.87 for the General Fund, \$420.40 for the Liquid Fuels Fund, and \$109,637.40 for the Sewer Fund. Roll call vote: Mr. Hart – yes, Mr. Zuccolotto – yes, and Mr. Rouser – yes. Motion carried unanimously.

POLICE REPORT:

The police report as submitted by Acting Chief, Sgt. James McKnight for the month of August 2003 for Conemaugh Township and Benson Borough was read. There was a motion by Mr. Zuccolotto, seconded by Mr. Hart, to accept the police report for the month of August 2003 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:

None.

CORRESPONDENCE:

None.

OLD BUSINESS:

None.

NEW BUSINESS:

1. **POLICE USE OF FORCE POLICY:** Mr. Zuccolotto stated that a taser gun was purchased for the police department, which knocks a person out, but does not hurt

them. Solicitor Barbin indicated that this policy would ensure that the taser is not over-used or abused. It was noted that all officers took a hit with this gun. There was a motion by Mr. Zuccolotto, seconded by Mr. Hart, to adopt Police Policy #11, Use of Force Policy, for chemical agents, impact weapons, and advanced taser, and to also adopt a Taser Use Report. Roll call vote: Mr. Zuccolotto – yes, Mr. Hart – yes, and Mr. Rouser – yes. Motion carried unanimously

MINUTES OF SEPTEMBER 17, 2003 MEETING CONTINUED

2. **DONATION TO HABITAT FOR HUMANITY:** Mr. Rouser stated that Mr. Branson Williams and Mr. William Gelles, two retired gentlemen, installed the electrical conduit, electrical boxes, and wiring for the Greenhouse Park pavilions; and they requested this donation be made in return for their work. There was a motion by Mr. Zuccolotto, seconded by Mr. Hart, to approve a donation of \$200.00 for equipment from the Township to Habitat for Humanity of Cambria County on request by, and on behalf of, Branson Williams and William Gelles, in return for the electrical work they completed at Greenhouse Park. . Roll call vote: Mr. Zuccolotto – yes, Mr. Hart – yes, and Mr. Rouser – yes. Motion carried unanimously

3. **RANK PROMOTION FOR OFFICER VINCENT ZANGAGLIA:** Mr. Zuccolotto explained that the Chief of Police is currently serving in Kosovo, and Sgt. McKnight has moved into the position of Acting Chief; therefore, it is necessary to have another officer in charge. There is not wage increase for this promotion at this time, but there could be one in the future. There was a motion by Mr. Zuccolotto, seconded by Mr. Hart, to approve the Rank promotion of Officer Vincent Zangaglia from Patrol Officer to the Rank of Corporal, at no wage increase. Roll call vote: Mr. Zuccolotto – yes, Mr. Hart – yes, and Mr. Rouser – yes. Motion carried unanimously

4. **CTMA BOARD COMMITTEE MEMBER COMPENSATION:** Mr. Zuccolotto stated that the Conemaugh Township Municipal Authority requested approval for its Board members to be paid for attending committee meetings at the same rate of pay as they receive for attending regular meetings. The members are saying that they are spending a lot of time at committee meetings, and Mr. Zuccolotto said that he understood that it took a lot of time to run things right. He further stated that he checked with other Townships, and with the City of Johnstown. Mr. Zuccolotto suggested that the CTMA pay their Board members \$20.00 per committee meeting, limiting the committee meetings to no more than four per month. The Board members are paid \$40.00/meeting for regular meetings. Mr. Hart felt that everyone appointed to the position knew what was involved and what they were going to be paid. He further stated that meetings can be made to last longer and more meetings could be had than were needed sometimes. Mr. Zuccolotto agreed, but stated that the Conemaugh Township Planning Commission members were never paid in the past, but now were being paid, although they do not have many meetings.

Solicitor Barbin noted that the Pennsylvania Constitution states that no public official can have their pay raised or lowered during their term of office. If this motion were passed,

only members coming on for new terms would be able to collect the pay. Solicitor Barbin also stated that this would be up to the CTMA solicitor and auditor.

This matter died for a lack of a motion.

5. **MINOR SUBDIVISION:** Solicitor Barbin stated that this meets Township rules. There was a motion by Mr. Hart, seconded by Mr. Zuccolotto, to approve the minor subdivision plan as proposed by property owner, Maurice R. Strawn et al, and applicant Ronald M. & Joanne C. Blough, to create an 0.2876 acre parcel to be conveyed to and merged with the adjoining 9.2549 acre property of Ronald M. & Joanne C. Blough, on which there is an existing dwelling and septic system, with residual parcel containing approximately 169.89 acres, as recommended by the Conemaugh Township Planning Commission, contingent upon favorable comment from the Somerset County Planning Commission. Roll call vote: Mr. Hart – yes, Mr. Zuccolotto – yes, and Mr. Rouser – yes. Motion carried unanimously.

6. **LAND DEVELOPMENT PLANS & STORM WATER SUBMISSION:** There was a motion by Mr. Zuccolotto, seconded by Mr. Hart, to approve the Land Development Plans and Storm Water Submission by property owner, Conemaugh Township Area School District, for athletic field renovations, as reviewed and recommended by Paul C. Rizzo Associates, and as approved by the Conemaugh Township Planning Commission, contingent upon satisfactory resolution of Paul C. Rizzo Associates review comments. Roll call vote: Mr. Zuccolotto – yes, Mr. Hart – yes, and Mr. Rouser – yes. Motion carried unanimously

At this point, Mr. Hart requested that the October 15, 2003 Supervisors' meeting be changed because he would be out of town the week of October 12th. It was agreed that the meeting would be changed to October 22, 2003.

FLOOR OPENED TO PUBLIC COMMENT:

Dorothy Sockovitch of Soap Hollow Road wanted to know if anything was done from the last meeting about the property beside her. Mr. Zuccolotto stated that Mr. Yancovitch has been talking to Mr. McGee, and himself, about the dilapidated properties that were brought up at that meeting. Mr. Zuccolotto noted that the house beside Mrs. Sockovitch would not be torn down because it was in relatively good condition and it could not be condemned. Mrs. Sockovitch also noted that she was going home after the meeting to cut the limbs hanging over her property from her neighbors yard so she could get out of her garage. Solicitor Barbin indicated that the law requires that each time there is a problem, the resident must be made aware of the problem and given time to fix it, then after thirty days, if it is not fixed, the Township can do something. He further stated that if the branches were sticking out over the public right-of-way, the Township could trim them, but if the branches were extending over private property, then that would be a matter between the property owner and the neighbor. Solicitor Barbin stated that the Township could not legally send an employee to cut branches on private property. Mr. Zuccolotto

noted to Mrs. Sockovitch that someone would cut the branches for her, but not on Township time.

Mr. David Plack of Plack Lane was present concerning the sewer problem he brought up at the last meeting. Mr. Rouser stated that he looked at the situation with Mr. McCauliff, and the property owners were sent a letter. Mr. Plack had pictures of this problem. Solicitor Barbin stated that this would be the same situation as with Mrs. Sockovitch—the Township was not here to preserve private property, but the Township does have a responsibility and separate area of authority with sewage and would take care of the sewage problem. The resident would be given written notice of the problem and given thirty days to correct it, unless it were an immediate and severe threat to public health and safety. Mr. Plack also complained of the water crossing his driveway and was concerned that it would freeze in the winter causing accidents. Solicitor Barbin stated that ice on driveways is not a Township matter. Mr. Plack further complained of harassment problems, stating that the police would not do anything. Solicitor Barbin informed Mr. Plack that he had the right to file summary offense at the magistrate's office, which would include trespass, harassment, and disorderly conduct. on a private basis.

ANNOUNCEMENTS:

1. The next regularly scheduled meeting of the Township Supervisors will be held on Wednesday, October 22, 2003 at 6:00 p.m.
2. Mr. Rouser wished to recognize Boy Scout Troup 114 for the great work done at Greenhouse Park. These boys cleaned the take-out and put-in for the canoes going in to the river; they cleared out and mulched the trail, and collected garbage.
3. Mr. Rouser stated that last week and this week the SCI prisoners from Somerset worked on cleaning out the creek, and steam cleaning and treating the pavilions at Greenhouse Park. They will be back next week.
4. Mr. Zuccolotto stated that Township resident Walt Fleck of J & D Fleck Paint donated paint to paint the picnic tables at Greenhouse Park. The prisoners will paint the tables in the spring.

ADJOURNMENT:

There was a motion by Mr. Zuccolotto, seconded by Mr. Hart, to adjourn the meeting at 6:32 p.m.

Submitted by,

(signed) Albert E. Zuccolotto, Secretary-Treasurer