

MINUTES OF REGULAR MEETING OF MARCH 17, 2004

The regular meeting of the Conemaugh Township Board of Supervisors was called to order at 7:00 p.m. on March 17, 2004 by Chairman Calvin Gindlesperger. Board members present were Calvin Gindlesperger, Chairman, David Hart, Secretary-Treasurer, and Robert Rouser, Vice-Chairman. Solicitor James Beener was present.

Pledge to the Flag.

FLOOR OPENED TO PUBLIC COMMENT ON AGENDA ITEMS:

None.

MINUTES:

There was a motion by Mr. Hart, seconded by Mr. Rouser, to accept the minutes of the regular meeting of February 18, 2004. Roll call vote: Mr. Hart – yes, Mr. Rouser – yes, and Mr. Gindlesperger – yes. Motion carried unanimously.

BILLS:

There was a motion by Mr. Rouser, seconded by Mr. Hart, to pay the bills for the month of March 2004 in the amount of \$8,536.13 for the General Fund, and \$15,855.12 for the Liquid Fuels Fund, and \$68,350.94 for the Sewer Fund. Roll call vote: Mr. Rouser – yes, Mr. Hart – yes, and Mr. Gindlesperger – yes. Motion carried unanimously.

POLICE REPORT:

The police report as submitted by Acting Chief Howard Jackson for the month of February 2004 for Conemaugh Township and Benson Borough was read. There was a motion by Mr. Hart, seconded by Mr. Rouser, to accept the police report for the month of February 2004 for the Township and Benson Borough. Roll call vote: Mr. Hart – yes, Mr. Rouser – yes, and Mr. Gindlesperger – yes. Motion carried unanimously.

PERSONS TO BE HEARD:

Dave Strayer from the Conemaugh Township School Board was present to request assistance from the Supervisors for a new school program. He stated that the High School was starting a rifle team and approximately 70 students had signed up. Mr. Strayer noted that there were scholarship opportunities in shooting sports. The High School was looking for potential sites to shoot, indicating that the Ferndale Sportsman Club could not accommodate them. Mr. Strayer was requesting the Supervisors to permit the use of a portion of municipal grounds to erect a shooting range. He further indicated that the High School grounds could not be used because of the stadium project that was going on at this time—it was too expensive. Mr. Strayer stated that the shooting range also must be on a major bus route because the school would be bussing the students to the range. He noted that the range could become a community facility and could also be used by the Township police force. Mr. Strayer described the range as a large open room and that it could also be used for archery.

Chairman Gindlesperger asked if the NRA would help with the funding. Mr. Strayer answered that they would, but they would not be eligible until the season following. He further stated that the School Board has pledged \$5,000 for start up costs. Mr. Strayer stated that they were looking for a temporary building until they could get a permanent one. He noted that this was a winter sport and it would begin next winter. The rifle team competitions would be PIAA sanctioned and West Pac was also recognizing this sport.

Mr. Hart asked what the size of the building would be. Mr. Strayer stated that the minimum would be 70' long, but he would like to see it longer. For the width, the minimum would be 4' per lane, and he would like to see 10 shooters at a time. Mr. Hart stated that this request would be discussed with the Solicitor.

Mr. Strayer also stated that the sport had good safety records and was extremely disciplined. The instructors and students must go through a range safety course. He further noted that they would be getting a vault to store the guns on site so they would not have to transport them. Chairman Gindlesperger stated that the Supervisors would do some checking and get back to him.

CORRESPONDENCE:

1. Chairman Gindlesperger stated that a letter was received from the Pennsylvania State Association of Township Supervisors requesting a donation to the "Fund for the Advancement of the State System of Higher Education". It was noted that the Township had made donations in the past to this Fund and there was \$50.00 in the budget for this year's donation. There was a motion by Mr. Hart, seconded by Mr. Rouser, to donate \$50.00 to the "Fund for the Advancement of the State System of Higher Education". Roll call vote: Mr. Hart – yes, Mr. Rouser – yes, and Mr. Gindlesperger – yes. Motion carried unanimously.

OLD BUSINESS:

None.

NEW BUSINESS:

1. **2004 ROAD & PETROLEUM BIDS:** Mr. Rouser asked if this included black top. Mr. Hart stated that it included salt/anti skid, black top, stone, and petroleum products. There was a motion by Mr. Rouser, seconded by Mr. Hart, to advertise for the Township's 2004 road and petroleum bids. Roll call vote: Mr. Rouser – yes, Mr. Hart – yes, and Mr. Gindlesperger – yes. Motion carried unanimously.

2. **2004 SPRING CLEAN UP:** Chairman Gindlesperger noted that spring clean up would be held the week after Easter, since there were complaints last year that it was held the week before Easter. There was a motion by Mr. Hart, seconded by Mr. Rouser, to advertise spring clean up week for the Township for the week of April 19 through 23, 2004. Roll call vote: Mr. Hart – yes, Mr. Rouser – yes, and Mr. Gindlesperger – yes. Motion carried unanimously.

3. **SALE OF CHEVROLET TRUCK:** There was a motion by Mr. Rouser, seconded by Mr. Hart, to advertise for bids for the sale of the Township's 1990 Chevrolet truck with plow and spreader. Roll call vote: Mr. Rouser – yes, Mr. Hart – yes, and Mr. Gindlesperger – yes. Motion carried unanimously.

4. **PURCHASE OF TWO NEW TRUCKS:** Chairman Gindlesperger explained that the Township presently has three Dodge trucks that were nine years old, one had 62,000 miles on it, another had 68,000 miles and the third had 35,000 miles. The Township had a total of seven trucks and it was felt that the Township would get to a point where these trucks would all break down at once. This winter was especially hard and there were a lot of breakdowns. Chairman Gindlesperger further stated that the new trucks would be purchased under the State Piggyback Program. Under this program, the State takes care of the bidding process, and there was a big savings with the Piggyback Program. Chairman Gindlesperger stated that the Township would like to purchase two new trucks this year. Prices were solicited and the results were as follows: 1) 2004 Ford F 550, fully equipped, at a cost of \$47,782.93 from U.S. Municipal Supply. 2) 2005 International 7400, fully equipped, at a cost of \$93,835.13 from Walsh Equipment. Mr. Hart noted that these trucks were designed as the Township's current trucks were. He further stated that Liquid Fuels funds were available to assist in purchasing these trucks. Chairman Gindlesperger indicated that these trucks would not be leases, they would be paid upon receipt, and the Township would own these trucks.

There was a motion by Mr. Hart, seconded by Mr. Rouser, to authorize the purchase of the following two new trucks under the State Piggyback Program:

1) 2004 Ford F 550, fully equipped to Township specifications, at a cost of \$47,782.93 from U.S. Municipal Supply.

2) 2005 International 7400, fully equipped to Township specifications, at a cost of \$93,835.13 from Walsh Equipment.

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

5. **PUBLIC COMMENT POLICY:** Chairman Gindlesperger stated that Solicitor Beener had given a draft of this policy to the Supervisors for review, which would regulate speaking time. This should be ready for approval at the next meeting. Solicitor Beener stated that this draft suggested a 30-minute open public comment period at the beginning for any discussion. It also stated that if there were more people than could talk in 30 minutes, it could be moved to the end. Solicitor Beener indicated that the other issue would be how long to provide for a single person to speak. The point was to provide ample opportunity for everyone to have a chance to speak. Solicitor Beener stated that if the Supervisors were happy with the 30 minutes period at the beginning of the meeting, then how many minutes did they want for a single person to speak. The Supervisors felt that ten minutes was too long. Mr. Hart stated that he had noticed many Townships allowed three minutes, some five, and basically if there was a group of people, a spoke person was chosen to speak for the group. He felt five minutes would be sufficient. Solicitor Beener noted that the public comment periods would not change the

agenda where someone wanted to be placed on the agenda to speak – there would be no time limit on that. The Supervisors also had the right to move the open speaking period around, but total public comment period was not to exceed 60 minutes. Solicitor Beener stated that if there were no more changes, he would provide a revised copy to the office to post until next month, and if anyone had any comments, they could let the Supervisors know, and then the policy could be adopted at the next meeting.

6. 2004 CDBG ENTITLEMENT APPLICATION COOPERATION AGREEMENT: Chairman Gindlesperger stated that this involved grant money from the Redevelopment Authority of Somerset County to be used to benefit low/moderate income areas to rehabilitate houses, demolish houses, sewer projects, etc. There was a motion by Mr. Hart, seconded by Mr. Rouser, to authorize the signing of the Cooperation Agreement between the County of Somerset, the Conemaugh Township Supervisors, and the Redevelopment Authority of Somerset County for the Township's 2004 CDBG Entitlement. Roll call vote: Mr. Hart – yes, Mr. Rouser – yes, and Mr. Gindlesperger – yes. Motion carried unanimously.

7. MINOR SUBDIVISION: Solicitor Beener stated that this subdivision was very minor and was okay for approval. This subdivision plan was approved by the Conemaugh Township Planning Commission on March 9, 2004 and was recommended for the Supervisors' approval. There was a motion by Mr. Rouser, seconded by Mr. Hart, to approve a proposed minor subdivision of Charles D. Erisman, property owner, and George S. Jr. & Deborah Lee Erisman, applicant, to convey 0.11 acre parcel to and merger with adjoining applicants' property. Roll call vote: Mr. Rouser – yes, Mr. Hart – yes, and Mr. Gindlesperger – yes. Motion carried unanimously.

8. MINOR SUBDIVISION: Solicitor Beener stated that this subdivision also was very minor and okay to approve with the stated conditions as recommended by the Conemaugh Township Planning Commission. This subdivision plan was granted conditional approval with a 60 day time limit by the Conemaugh Township Planning Commission on March 9, 2004; said conditions as follows: 1) In note #2, replace "Somerset County Planning Commission" with "Conemaugh Township Planning Commission". 2) Add Conemaugh Township Planning Commission approval date line & two signature lines. 3) Add recitations required by Subdivision Ordinance. 4) Revise westerly boundary line of Parcel A to provide a minimum of a 10-foot setback from existing Schillinger garage. 5) Submit revised plan incorporating all of the above conditions no later than May 10, 2004, or this conditional approval becomes null and void.

There was a motion by Mr. Hart to approve a proposed minor subdivision, contingent upon the conditions as stated by the Conemaugh Township Planning Commission above, of Joseph L. Schillinger, property owner, and Gary L. Stayrook & Tina L. Stayrook, applicant, to convey 0.15 acre Parcel A to and merger with adjoining applicants' property. Mr. Rouser asked the Solicitor at this point, if he was permitted to seconded the vote on this matter since this was his relative. Solicitor Beener stated that he probably could legally, but it would be up to him. Mr. Gindlesperger then seconded this

motion. Roll call vote: Mr. Hart – yes, Mr. Gindlesperger – yes, and Mr. Rouser – yes. Motion carried unanimously.

9. **COOKIETOWN DEMOLITION PROJECT:** Chairman Gindlesperger stated that there was a house located at the turn into Cookietown that the Township owns. Bids had been received by the Redevelopment Authority of Somerset County to demolish this building. These bids have come in approximately \$10,000.00 over what was approved for the project by the Authority. Chairman Gindlesperger indicated that there was a chance that additional CDBG monies would be available to cover this overage. He stated that there were five bid requests sent out, but only the following two bids were received: Earthmovers Unlimited for \$22,319 (\$19,219 for demolition and \$3,100 for guide rails), and Maust Excavating, Inc. for \$29,800 (\$28,300 for demolition and \$1,500 for guide rails). Mr. Hart stated that he had talked with Ms. Popovich from the Authority today and she was not sure if the funds would be available until she spoke to the State. She would not have an answer until next week. Mr. Hart felt that this project could be approved contingent upon receiving this additional CDBG money. There was a motion by Mr. Hart, seconded by Mr. Rouser, to accept the bids for this project, contingent upon the CDBG money coming in to cover the extra \$10,000.00, which the Township would pay out of the General Fund up front, if needed; if the \$10,000.00 in CDBG money was not available, then the project would not be approved. Roll call vote: Mr. Hart – yes, Mr. Rouser – yes, and Mr. Gindlesperger – yes. Motion carried unanimously.

ITEMS FOR DISCUSSION:

1. **POLICY REGARDING MAIL BOXES** – Mr. Hart stated that he had received at least a dozen telephone calls this year regarding damaged mailboxes. He stated that this has always been an issue in the past, but there has never been a policy on this. Mr. Hart indicated that some Townships do nothing because the mailbox was on their right-of-way, others pay a flat fee of \$25.00 for the mailbox, and other places say that if the snow from the plow knocks the mailbox off, they do nothing, but if the plow truck itself knocks the box off, then they would replace it. Chairman Gindlesperger noted that most of the time mailboxes were on Township right-of-way. He wanted to know how many mailboxes were actually damaged by the plow trucks. Mr. Hart answered that he knows of two that the crew had said they had hit themselves; flying heavy snow damaged the others. Mr. Rouser noted that was usually the case and also that the mailboxes were usually not in good shape to begin with, so when the heavy snow hit them, they would fall over. Mr. Rouser did feel that if the Township truck hit the mailbox, the Township should replace it. Mr. Hart indicated that the problem with that was when the person said that the truck hit it when it did not. Mr. Rouser stated that the other problem the crew had was where the snow drifts, the mailboxes are covered and they do not know where they are. Mr. Rouser asked if Mr. Hart had checked with Penn Dot to see what they were doing. He stated that there was something Penn Dot was doing before where if the person would call them up, they would send out a form to fill out. Mr. Hart stated that he would talk to Joe Kellerman about this. Mr. Rouser again stated that he felt the Township should replace a mailbox if the truck actually hit it, but not the mailboxes knocked over by the snow because that could end up costing a lot. Mr. Hart asked if the

Supervisors wanted to put a limit on how much the Township would pay for a mailbox since some are worth more than others. Mr. Rouser indicated that another problem that occurred was certain people wanted their special mailboxes replaced; the Township cannot do this. He stated that generally the Township only sees two or three mailboxes damaged a year, but with heavy snowfalls, there would be more. Chairman Gindlesperger stated that the State should be contacted. Mr. Hart indicated that he would do this and the Township would do what they do.

2. **SEWER GRINDER PUMP MAINTENANCE AGREEMENT** – Solicitor Beener stated that he and Russ McCauliff, Sewer Department Manager, were working on this agreement. He indicated that they needed to come up with a fairly clear procedure to follow on this matter. Chairman Gindlesperger asked if they were checking with any other sewer authorities. Solicitor Beener answered that he was, and he would have something outlined for next month's meeting.

FLOOR OPENED TO PUBLIC COMMENT:

Carl Muir was in to request that the Township extend the pavement on Mabel Street another 50 feet so that it would meet his property line. Chairman Gindlesperger stated that the Supervisors would look into this, since some roads would be paved this year.

Phyllis Mosher of Tire Hill wanted to know why Officer Todaro was fired from the police force. Mr. Hart stated that was a personnel matter that could not be discussed; personnel matters are within and not public. Ms. Mosher wanted to know how she could find out information regarding this. Mr. Hart indicated that she could talk to the officer in charge, which would be Howard Jackson. Ms. Mosher wanted to know if he was still in charge, she thought Mr. Barclay was back. Mr. Hart noted that the two were doing dual duty until Mr. Barclay gets back into things, and he further noted that Officer Todaro was fired prior to Mr. Barclay returning to work.

ANNOUNCEMENTS:

1. The next regularly scheduled meeting of the Township Supervisors will be held on Wednesday, April 14, 2004 at 7:00 p.m.

ADJOURNMENT:

There was a motion by Mr. Rouser, seconded by Mr. Hart, to adjourn the meeting at 7:39 p.m.

Submitted by,

(signed) David A. Hart, Secretary/Treasurer