

MINUTES OF REGULAR MEETING OF MARCH 16, 2005

The regular meeting of the Conemaugh Township Board of Supervisors was called to order at 7:07 p.m. on March 16, 2005 by Vice-Chairman Wayne Kauffman. Board members present were Wayne Kauffman, Vice-Chairman, and David Hart, Secretary/Treasurer. Calvin Gindlesperger, Chairman, was absent. Solicitor James Beener was present.

Pledge to the Flag.

FLOOR OPENED TO PUBLIC COMMENT:

Ernest Spory, Township Emergency Management Coordinator, wanted to bring to the attention of the Supervisors the problem that has been occurring with Verizon not responding to emergencies in a timely fashion. He stated recently there was an accident on Soap Hollow Road with wires and poles down and the road had to closed completely. Mr. Spory stated he could not get Verizon to respond or give an estimated time of arrival. He said they did arrive the next day, but the road remained closed until that time, which hindered all traffic including school buses. Mr. Spory stated he reported this problem to PennDot and Congressman Murtha's office.

MINUTES:

There was a motion by Mr. Hart, seconded by Mr. Kauffman, to accept the minutes of the meeting of February 16, 2005. Roll call vote: Mr. Hart – yes, Mr. Kauffman – yes, and Mr. Gindlesperger – absent. Motion carried, two yes, one absent.

BILLS:

There was a motion by Mr. Hart, seconded by Mr. Kauffman, to pay the bills for the month of March 2005 in the amount of \$122,280.83 for the General Fund, \$2,834.41 for the Liquid Fuels Fund, and \$99,261.56 for the Sewer Fund. Roll call vote: Mr. Hart – yes, Mr. Kauffman – yes, and Mr. Gindlesperger – absent. Motion carried, two yes, one absent.

POLICE REPORT:

The police reports as submitted by OIC Howard Jackson for the month of February 2005 for Conemaugh Township and Benson Borough were read. There was a motion by Mr. Hart, seconded by Mr. Kauffman, to accept the police reports for the month of February 2005 for the Township and Benson Borough. Roll call vote: Mr. Hart – yes, Mr. Kauffman – yes, and Mr. Gindlesperger – absent. Motion carried, two yes, one absent.

PERSONS TO BE HEARD:

Ken Kozak of 118 Hebda Lane, Jerome, stated he appreciated what the Supervisors did to his road last year, but he wanted to know when phase II would be completed on the road. Mr. Hart informed him the road was on the list to be done, but noted this year the Township was spending most of the Liquid Fuels money on bridges. Mr. Kozak showed pictures of the road indicating that the plows had taken out chunks of what the Township had put down last year. He was concerned that what was done would be lost if it was not finished. Mr. Hart stated that the Township would do something to the road this year, but nothing could be done before June.

Adam Kazmozrczyk, an Eagle Scout from Davidsville Boy Scout Troup 114, was in to request permission to perform renovation work on the stream that flows behind the Township building. Malcom Crittenden, a local watershed manager, stated that he would be assisting Adam. He further stated they would be planting tree cuttings along the stream banks that were eroding.

MINUTES OF MARCH 16, 2005 MEETING CONTINUED.

Solicitor Beener requested they prepare a description or plan for this project to give to the Supervisors. Mr. Crittenden and Adam stated they would put a plan together. The Supervisors did not have a problem with them doing this project.

CORRESPONDENCE:

A letter was received from the Jerome Memorial Day Committee requesting a donation of \$500.00 for their Jerome Memorial Day Services to be held May 30, 2005. Vice-Chairman Kauffman noted that there was \$350.00 budgeted for this. There was a motion by Mr. Hart, seconded by Mr. Kauffman, to donate \$350.00 to the Jerome Memorial Day Committee for their Memorial Day Services. Roll call vote: Mr. Hart – yes, Mr. Kauffman – yes, and Mr. Gindlesperger – absent. Motion carried, two yes, one absent.

OLD BUSINESS:

None.

NEW BUSINESS:

1. **RESOLUTION R04-05:** There was a motion by Mr. Hart, seconded by Mr. Kauffman, to adopt Resolution R04-05 directing the Conemaugh Township Municipal Authority to transfer its projects, property, equipment, assets and debt to the Conemaugh Township Supervisors. Roll call vote: Mr. Hart – yes, Mr. Kauffman – yes, and Mr. Gindlesperger – absent. Motion carried, two yes, one absent.

2. **RESOLUTION R05-05:** There was a motion by Mr. Hart, seconded by Mr. Kauffman, to adopt Resolution R05-05 to execute a lease agreement with Zepka, Inc. for the lease of a 2005 Harley Davidson Electra-Glide for use by the Conemaugh Township Police Department for \$200.00 per month. Roll call vote: Mr. Hart – yes, Mr. Kauffman – yes, and Mr. Gindlesperger – absent. Motion carried, two yes, one absent.

3. **2005 ROAD & PETROLEUM BIDS:** There was a motion by Mr. Hart, seconded by Mr. Kauffman, to advertise for the Township's 2005 road and petroleum bids. Roll call vote, Mr. Hart – yes, Mr. Kauffman – yes, and Mr. Gindlesperger – absent. Motion carried, two yes, one absent

4. **2005 SPRING CLEAN UP:** There was a motion by Mr. Hart, seconded by Mr. Kauffman, to advertise spring clean up week for the Township for the week of April 18 through 22, 2005. Roll call vote, Mr. Hart – yes, Mr. Kauffman – yes, and Mr. Gindlesperger – absent. Motion carried, two yes, one absent

At this point, Mr. Kauffman wished to comment about spring clean up. He stated that all junk must be placed in front of the residents' property or on Township right-of-way. Mr. Kauffman stated this year there will not be the large pile of junk along Route 985. The Township police will be checking this area and fines will be given out.

5. **WILLIAM KERR PENSION BENEFITS:** There was a motion by Mr. Hart, seconded by Mr. Kauffman, to approve William Kerr to receive pension retirement benefits from the Conemaugh Township Non-Uniformed Pension Plan, effective March 1, 2005 due to Mr. Kerr's retirement from employment with the Township. Roll call vote, Mr. Hart – yes, Mr. Kauffman – yes, and Mr. Gindlesperger – absent. Motion carried, two yes, one absent

MINUTES OF MARCH 16, 2005 MEETING CONTINUED.

6. **MINOR SUBDIVISION:** The Conemaugh Township Planning Commission approved this Plan and has recommended approval by the Board of Supervisors. Solicitor Beener stated this Plan was okay for approval. There was a motion by Mr. Hart, seconded by Mr. Kauffman, to approve the subdivision plan for Riverside Grace Brethren Church d/b/a Davidsville Community Church, property owner and applicant, to create an undeveloped parcel containing approximately 0.52 acres and having frontage on Pender Road, with the parent residue parcel containing approximately 10.46 acres. Roll call vote, Mr. Hart – yes, Mr. Kauffman – yes, and Mr. Gindlesperger – absent. Motion carried, two yes, one absent

7. **PURCHASE OF NEW TRUCK:** There was a motion by Mr. Hart, seconded by Mr. Kauffman, to approve the purchase of a new 2005 Ford F550 dump truck with plow through the Piggy Back Program. Roll call vote, Mr. Hart – yes, Mr. Kauffman – yes, and Mr. Gindlesperger – absent. Motion carried, two yes, one absent

8. **WHITEWATER PARK EASEMENTS:** Easements for the Whitewater Park Project are required before DEP will release the permit for the project. There was a motion by Mr. Hart, seconded by Mr. Kauffman, to enter into easement agreements as needed for the Whitewater Park Project contingent upon approval of said agreements by the Township Solicitor. Roll call vote, Mr. Hart – yes, Mr. Kauffman – yes, and Mr. Gindlesperger – absent. Motion carried, two yes, one absent

9. **BARRON/YODER PARCEL:** A Barron/Yoder parcel that is unable to be developed located between Kaufman Run and Route 403 would enhance the Greenhouse Park visibility control and also the Whitewater Park Project. There was a motion by Mr. Hart, seconded by Mr. Kauffman, to prepare and execute a deed conveying said property to Conemaugh Township contingent upon approval of said deed by the Township Solicitor. Roll call vote, Mr. Hart – yes, Mr. Kauffman – yes, and Mr. Gindlesperger – absent. Motion carried, two yes, one absent

TIRE HILL SEWER PROJECT:

1. **RESOLUTION R06-05:** There was a motion by Mr. Hart, seconded by Mr. Kauffman, to adopt Resolution R06-05 authorizing Wayne Kauffman to sign and David Hart to attest the Permittee's Acknowledgement of Additional Highway Restoration Obligation Agreement with PennDot. Roll call vote, Mr. Hart – yes, Mr. Kauffman – yes, and Mr. Gindlesperger – absent. Motion carried, two yes, one absent

2. **DESIGN AND CONSTRUCT – BENSCREEK AREA:** There was a motion by Mr. Hart, seconded by Mr. Kauffman, to design and construct in the area of Benscreek, Conemaugh Township, Somerset County, which would include the installation of a sanitary sewer and collection system consisting of approximately 70,000 LF of 8" sewer line and appertaining to a detailed study of Region 7 and 8 in Township Act 537 Plan, dated October 30, 1997. Roll call vote, Mr. Hart – yes, Mr. Kauffman – yes, and Mr. Gindlesperger – absent. Motion carried, two yes, one absent

3. **EADS ENGINEERING RETAINER:** There was a motion by Mr. Hart, seconded by Mr. Kauffman, to retain Neilan Engineers, the EADS Group, as Engineer for general work for the Township. Roll call vote, Mr. Hart – yes, Mr. Kauffman – yes, and Mr. Gindlesperger – absent. Motion carried, two yes, one absent.

MINUTES OF MARCH 16, 2005 MEETING CONTINUED.

4. **CHANGE ORDER #1:** There was a motion by Mr. Hart, seconded by Mr. Kauffman, to approve Change Order #1 in the amount of \$1,679.70 for the Tire Hill Sanitary Sewer Project for the repair of an unmarked 36" drain line. Roll call vote, Mr. Hart – yes, Mr. Kauffman – yes, and Mr. Gindlesperger – absent. Motion carried, two yes, one absent
5. **CHANGE ORDER #2:** There was a motion by Mr. Hart, seconded by Mr. Kauffman, to approve Change Order #2 in the amount of \$948.75 for the Tire Hill Sanitary Sewer Project for the removal of power poles from the right-of-way at the Raymond Frank property. Roll call vote, Mr. Hart – yes, Mr. Kauffman – yes, and Mr. Gindlesperger – absent. Motion carried, two yes, one absent
6. **CHANGE ORDER #3:** There was a motion by Mr. Hart, seconded by Mr. Kauffman, to approve Change Order #3 in the amount of \$8,796.88 for the Tire Hill Sanitary Sewer Project for a unit price change of \$223.00 per LF for 6' drop manholes. Roll call vote, Mr. Hart – yes, Mr. Kauffman – yes, and Mr. Gindlesperger – absent. Motion carried, two yes, one absent
7. **PENNVEST PAY REQUEST #3:** There was a motion by Mr. Hart, seconded by Mr. Kauffman, to approve PennVEST pay request #3 in the amount of \$268,645.69. Roll call vote, Mr. Hart – yes, Mr. Kauffman – yes, and Mr. Gindlesperger – absent. Motion carried, two yes, one absent
8. **UPDATE SEWER PROJECT:** Ben Faas of The EADS Group stated that everything was going very well considering the amount of work that was being done. Mr. Hart stated there have been minimal complaints.
9. **BOND REFINANCING:** Solicitor Beener stated he was contacted by Mr. Joseph Muscatello who was the bond advisor on the existing sanitary sewer system bonds, and he proposed a refinance of those bonds. Mr. Muscatello provided the Township with an initial refunding analysis. Solicitor Beener stated there were no additional details at this point, therefore, there was a motion by Mr. Kauffman, seconded by Mr. Hart, to authorize the preparation of documents for a proposed refinance of existing sewer system bonds in the approximate amount of \$2,500,000.00 on a proposal received from Arthur Westrange at a savings of not less than \$50,000.00, subject upon final approval upon receipt of the bond documents and approval for bond closing. Roll call vote, Mr. Kauffman – yes, Mr. Hart – yes, and Mr. Gindlesperger – absent. Motion carried, two yes, one absent
10. **PAYMENT FOR PARCELS TO MILLER SPRINGS:** Solicitor Beener stated that there were three parcels of land acquired in fee simple, not right-of-ways, from Miller Springs for mediation management. He stated those properties were independently appraised and Miller Springs agreed to the appraised value of the three parcels totaling \$5,650.00. There was a motion by Mr. Hart, seconded by Mr. Kauffman, authorizing the payment of \$5,650.00 to Miller Springs for the purchase of three parcels of land for the Tire Hill Sanitary Sewer Project. Roll call vote, Hart – yes, Mr. Kauffman – yes, and Mr. Gindlesperger – absent. Motion carried, two yes, one absent

MINUTES OF MARCH 16, 2005 MEETING CONTINUED.

ITEMS FOR DISCUSSION:

Solicitor Beener requested a motion from the Supervisors to authorize him to bid financing for a street sweeper acquisition approved December 2004.

1. **BID FINANCING:** There was a motion by Mr. Hart, seconded by Mr. Kauffman, to authorize Solicitor Beener to bid for financing for a street sweeper. Roll call vote, Hart – yes, Mr. Kauffman – yes, and Mr. Gindlesperger – absent. Motion carried, two yes, one absent

ANNOUNCEMENTS:

1. The next regularly scheduled meeting of the Township Supervisors will be held on Wednesday, April 20, 2005 at 7:00 p.m.

ADJOURNMENT:

There was a motion by Mr. Hart, seconded by Kauffman to adjourn the meeting at 7:35 p.m.

Submitted by,

David A. Hart, Secretary/Treasurer