

MINUTES OF REGULAR MEETING OF OCTOBER 12, 2005

The regular meeting of the Conemaugh Township Board of Supervisors was called to order at 7:06 p.m. on October 12, 2005 by Chairman Calvin Gindlesperger. Board members present were Calvin Gindlesperger, Chairman, Wayne Kauffman, Vice-Chairman, and David Hart, Secretary/ Treasurer. Solicitor James Beener was present.

Pledge to the Flag.

FLOOR OPENED TO PUBLIC COMMENT:

Cindy Albaugh of 135 Rachele Avenue wanted to know what the status was on her previous request of having a piece of her land returned to her. Solicitor Beener stated she may have that piece back, but a decision still needed to be made regarding the rights-of-way for the adjoining properties, and possibly extending the road way by her residence for snowplowing.

RESIGNATION OF COWAN FROM CTMA: A letter was received from Ron Cowan resigning from the Conemaugh Township Municipal Authority effective September 27, 2005. There was a motion by Mr. Hart, seconded by Mr. Kauffman, to accept the resignation of Ron Cowan from the Conemaugh Township Municipal Authority. Roll call vote: Mr. Hart – yes, Mr. Kauffman – yes, and Mr. Gindlesperger – yes. Motion carried unanimously.

MINUTES:

There was a motion by Mr. Hart, seconded by Mr. Kauffman, to accept the minutes of the meeting of September 21, 2005. Roll call vote: Mr. Hart – yes, Mr. Kauffman – yes, and Mr. Gindlesperger – yes. Motion carried unanimously.

There was a motion by Mr. Hart, seconded by Mr. Kauffman, to accept the minutes of the special meeting of October 6, 2005. Roll call vote: Mr. Hart – yes, Mr. Kauffman – yes, and Mr. Gindlesperger – yes. Motion carried unanimously.

BILLS:

There was a motion by Mr. Kauffman, seconded by Mr. Hart, to pay the bills for the month of October 2005 in the amount of \$70,359.72 for the General Fund, \$343.26 for the Liquid Fuels Fund, and \$58,487.07 for the Sewer Fund. Roll call vote: Mr. Kauffman – yes, Mr. Hart – yes, and Mr. Gindlesperger – yes. Motion carried unanimously.

POLICE REPORT:

The police reports as submitted by Chief Howard Jackson for the month of September 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 September 2005 for the Township and Benson Borough. Roll call vote: Mr. Hart – yes, Mr. Kauffman – yes, and Mr. Gindlesperger – yes. Motion carried unanimously.

PERSONS TO BE HEARD:

None.

CORRESPONDENCE:

None.

MINUTES OF OCTOBER 12, 2005 MEETING CONTINUED.

OLD BUSINESS:

None.

NEW BUSINESS:

1. **PENSION PLAN DEPOSIT:** There was a motion by Mr. Kauffman, seconded by Mr. Hart, to ratify the September 26, 2005 deposit of \$95,890.00 into the Non-Uniform Pension Plan, and \$26,928.00 into the Police Pension Plan with Mass Mutual Retirement Services, which represents the minimum municipal obligation to the Plan for the year 2005. (\$76,096.08 from 2005 State Aid; \$46,721.92 from General Fund.) Roll call vote: Mr. Kauffman – yes, Mr. Hart – yes, and Mr. Gindlesperger – yes. Motion carried unanimously.

2. **FOREIGN FIRE RELIEF FUND DISTRIBUTION:** There was a motion by Mr. Kauffman, seconded by Mr. Hart, to ratify the September 26, 2005 distribution of the 2005 Foreign Fire Relief Funds in the amount of \$40,267.78 as follows: Krings Volunteer Firemen Relief Association (CT Fire Co.) - \$10,066.95; Ideal Volunteer Fire Company Firemen's Relief Association - \$10,066.95; Jerome Volunteer Firemen's Relief Association - \$10,066.95; and Community Volunteer Fire Company of Hollsopple Relief Association - \$10,066.93. Roll call vote: Mr. Kauffman – yes, Mr. Hart – yes, and Mr. Gindlesperger – yes. Motion carried unanimously.

3. **MINOR SUBDIVISION:** The Conemaugh Township Planning Commission approved this plan on October 11, 2005, pending receipt of favorable comment from the Somerset County Planning Commission, and approval by the Supervisors of the 10 acre exemption. There was a motion by Mr. Kauffman, seconded by Mr. Hart, to approve and sign the 10 acre exemption for on-lot septic for the residual, and to approve the subdivision plan for Harry R. Mock & Susan J. Mock to subdivide a 2.04 acre parcel from existing parcels #1 & #3, all as shown on sheet dated 4/20/05 and sealed by Dale B. Haynes, P.L.S., pending favorable comment from the Somerset County Planning Commission. Roll call vote: Mr. Kauffman – yes, Mr. Hart – yes, and Mr. Gindlesperger – yes. Motion carried unanimously.

4. **MINOR SUBDIVISION:** The Conemaugh Township Planning Commission approved this plan on October 11, 2005; favorable comment from the Somerset County Planning Commission was received. There was a motion by Mr. Hart, seconded by Mr. Kauffman, to approve the subdivision plan for Steward E. & Lada Shaffer Trustees to create Lot #1 containing approximately 0.29 acres for merger with adjoining Vuckovich property, as shown on sheet dated 8/15/05 and sealed by Dale B. Haynes, P.L.S. Roll call vote: Mr. Hart – yes, Mr. Kauffman – yes, and Mr. Gindlesperger – yes. Motion carried unanimously.

5. **MINOR SUBDIVISION:** The Conemaugh Township Planning Commission approved this plan on October 11, 2005, pending receipt of favorable comment from the Somerset County Planning Commission and DEP's approval of the sewage facilities planning exemption. There was a motion by Mr. Kauffman, seconded by Mr. Hart, to approve the subdivision plan for Joseph W. & Verna M. Stevens to create Lot 2 containing approximately 1.368 acres and Lot 3 containing approximately 0.518, as shown on sheet no. 1 of 1 dated 10/3/05 and sealed by Randolph L. Cortese, P.L.S., pending receipt of both favorable comment from the Somerset County Planning Commission and DEP's approval of the sewage facilities planning module. Roll call vote: Mr. Kauffman – yes, Mr. Hart – yes, and Mr. Gindlesperger – yes. Motion carried unanimously.

MINUTES OF OCTOBER 12, 2005 MEETING CONTINUED.

6. **DEP SEWAGE FACILITIES PLANNING MODULE – COMPONENT 1:** On 10/7/05, the Township S.E.O signed Section H, and on 10/11/05 the Conemaugh Township Planning Commission approved the Module Section I for this plan. There was a motion by Mr. Hart, seconded by Mr. Kauffman, to approve the DEP Sewage Facilities Planning Module – Component 1 for the proposed Harlan G. & Sheri L. Speigle subdivision containing approximately 108.3 acres. Roll call vote: Mr. Hart – yes, Mr. Kauffman – yes, and Mr. Gindlesperger – yes. Motion carried unanimously.

7. **SEWAGE PAYMENT REDUCTION:** A request for reduction of a delinquent sewer bill was received from Attorney William's office on the Jean Miller residence at 3107 Seanor Rd. The water was confirmed shut off on June 11, 1998 by the CTMA. The total sewage bill due is \$2,278.62. Solicitor Beener stated there was never a previous request for reduction of this bill, and the house has been vacant for seven years. Mr. Hart indicated there was a potential buyer for this house. It was also noted that the CTMA verified there was no water service to that residence for seven years. There was a motion by Mr. Hart, seconded by Mr. Kauffman, to reduce the delinquent sewer bill owed on the Jean Miller residence to \$500.00. Roll call vote: Mr. Hart – yes, Mr. Kauffman – yes, and Mr. Gindlesperger – yes. Motion carried unanimously.

TIRE HILL SEWER PROJECT:

1. **PENNVEST PAY REQUEST #10:** There was a motion by Mr. Hart, seconded by Mr. Kauffman, to approve PennVEST Pay Request #10 in the amount of \$636,284.83 as presented. Roll call vote: Mr. Hart – yes, Mr. Kauffman – yes, and Mr. Gindlesperger – yes. Motion carried unanimously.

2. **UPDATE SEWER PROJECT:** Ben Faas of The EADS Group stated things continued to go very well. He stated that Contract #1 – General and Sewage Treatment Plant was up to 75% complete; all the tanks were in and they were working on the control building. Mr. Faas stated they were running into some issues with the Hurricane Katrina recovery taking all their materials, such as the blowers and generators. He indicated the Electrical Contract was up to 56% complete; they have installed all under slab conduit and were currently working on yard conduit. Mr. Faas reported that on the Plumbing Contract all underground building plumbing had been installed. He stated the HVAC work would not start for another 2-3 weeks, and they were currently working on the water line project and paving restoration.

At this point, Chairman Gindlesperger asked **Raymond Frank** if he had anything he wanted to say, since he had come in late to the meeting. Mr. Frank of 604 Tire Hill Road was concerned about the conditions on his property in regard to the sewer project. He stated he had given his list of problems to Jerry Bell, and had talked to Mr. Cortese and Kukurin, but nothing was being done. Mr. Faas stated he had talked to them also concerning Mr. Frank's problems, and he would be willing to meet with Mr. Frank at the job site trailer to discuss things further with him. Mr. Frank indicated he would not do this, and that Mr. Faas should talk to Mr. Bell regarding his concerns and the damage done to his property.

Joe Stevens asked Mr. Faas if the construction company surved the lines installed. Mr. Faas answered, yes. Mr. Stevens said then the lines should be where they were supposed to be, and Mr. Faas again answered, yes. Mr. Stevens wanted to know what the procedure was to relocate a line to where it was supposed to be if it was installed in the wrong place. At this time, Solicitor Beener interjected and asked Mr. Stevens if these questions were regarding his property, and reminded him that he was the lawyer in that matter.

MINUTES OF OCTOBER 12, 2005 MEETING CONTINUED.

Solicitor Beener asked Mr. Faas how long the PennDOT permits were good for regarding the Hillside Drive and Dalton Run Bridges. Mr. Faas stated they were good for one year—the Township could start construction anytime within that year.

Mr. Frank wished to state he was also concerned about relocating a pile of poles on his property and the right-of-way agreement. Solicitor Beener stated he would pull that right-of-way agreement to review this matter.

ITEMS FOR DISCUSSION:

1. Solicitor Beener stated all the Whitewater Park Project rights-of-way were signed, sealed, and delivered.
2. Solicitor Beener once again noted he and the Supervisors were asking for any comments from the public as to what traffic issues should be added to the new traffic ordinance being drafted.
3. Solicitor Beener reported there was pending litigation against Randy Mock, who had attended the October 6, 2005 special meeting of the Board of Supervisors and asked for relief, which the Supervisors had rejected. The court has upheld the Township's position on this and will proceed with judgment.

ANNOUNCEMENTS:

1. The next regularly scheduled meeting of the Township Supervisors will be held on Wednesday, November 16, 2005 at 7:00 p.m.

ADJOURNMENT:

There was a motion by Mr. Hart, seconded by Kauffman, to adjourn the meeting at 7:36 p.m.

Submitted by,

David A. Hart, Secretary/Treasurer