

## MINUTES OF SPECIAL MEETING OF OCTOBER 6, 2005

A special meeting of the Conemaugh Township Board of Supervisors was called to order at 10:07 a.m. on October 6, 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:

**Randy Mock** of 210 Park Road said he would like to discuss how he could resolve the problem he was having regarding the cars on his property. He stated he was running into problems removing the vehicles from his property to a new location because of his health and the costs involved. Mr. Mock indicated he was in the process of purchasing property in Seward, but would not be able to have that completed until perhaps the end of next year. He stated he was having problems with theft, which was why he was parking the cars at the top of his driveway. Mr. Mock asked the Supervisors if they could lift the 6' fence restriction so he could install a higher fence around his vehicles, which he felt would solve the problem. He further stated he could then gate the property so the public could not drive in and get stuck in the sewer runoff that was coming onto his property. Mr. Mock felt this was the main complaint. Mr. Hart noted his entire property was included in the complaint. Solicitor Beener stated this issue pertained to a lawsuit filed by the previous Board of Supervisors and now the present Board was trying to resolve the situation.

Ron McGee, Township Zoning Officer, explained the problem indicating Mr. Mock's property looked like a junkyard with numerous cars sitting around disassembled. He stated there was a restriction on the deed that no work was to be performed on the vehicles in the open, and he further indicated that before Mr. Mock's parents purchased the property for auto repair there was a restriction of approximately five cars permitted at a time on that property. Mr. McGee also noted the right-of-way was not Mr. Mock's property, but was a private easement owned by Terry Dovey. He stated the issue was that use of the property was not permitted in that Zoning District, noting Mr. Mock was given an application to apply for a Zoning Variance, which he did not do. Mr. McGee also indicated installing fencing would not obviate the property use condition.

Solicitor Beener informed Mr. Mock he had said he was going to pull out of that site; he made some effort to clean it up, and then everything went back to the way it was – noting that Mr. Mock had also said he was going to purchase new property last year, but did not. He stated the Supervisors were receiving many complaints about Mr. Mock's property. Mr. McGee stated he had received correspondence from Robert Barrett Real Estate indicating Mr. Mock's property was diminishing the value of the neighboring properties. He also had a letter from the Conemaugh Township Fire Company indicating Mr. Mock's property was a hazard in respect to hindering the response to a fire. Solicitor Beener stated there would be no problem if all work was done inside, and Mr. McGee noted the problem was also open storage. Mr. Mock currently had approximately 50 cars stored on his property, 10 of which were owned by him.

Mr. Mock again asked why he could not have outside storage if he had it fenced off, indicating his property had always been used as an industrial site in the past. Solicitor Beener stated that property had been residential since 1975. Mr. McGee reiterated that Mr. Mock could apply for a Zoning Variance. Mr. Mock said Mr. McGee himself had told him that would be a waste of

## **MINUTES OF OCTOBER 6, 2005 MEETING CONTINUED.**

money, and Mr. Mock felt this was a personal matter with his neighbors. Mr. Hart informed Mr. Mock he had to comply with Township regulations by removing most of the cars at his residence. Mr. Mock stated he could not remove the cars since he used parts from them to fix other cars. Mr. Kauffman told Mr. Mock other residents within the Township had cleaned up their properties as requested by the Supervisors and he should be able to also. Mr. Mock stated he had cleaned up his property; he used to have 100 cars, and he had made a considerable investment to do so. He stated he was only one person and could not devote all his time to removing the vehicles since that would hinder him getting financial backing to purchase the new property in Seward. Mr. Mock said this was a very stressful and costly situation to him. Mr. Hart said he did not see any progress at Mr. Mock's property.

Solicitor Beener stated he and the Supervisors hoped Mr. Mock's business was a success, but it was located in the wrong place. The Supervisors were receiving complaints about his property routinely and it was getting no closer to getting resolved. Mr. Mock stated he was working on the financing for the new property and planned on having partners involved, and he hoped to have the property in Seward soon, but he could not move the vehicles over the winter, and he could not afford to hire help. Solicitor Beener stated it was not a matter of what the Supervisors liked or did not like, it was a matter of the law and of residents complaining. He also reminded Mr. Mock the end result would be him appearing before a judge who would give him an order to clean up the property within so many days. Solicitor Beener informed Mr. Mock he would get back to him in this matter once the Supervisors decided how they wished to proceed.

### **NEW BUSINESS:**

1. **OPEN & ACCEPT FINANCE BIDS FOR POLICE CRUISERS:** Only one bid was received which was from National Fleet Leasing Corp. at a 4% interest rate with quarterly payments of \$5,813.49 for two years; total amount to be financed - \$43,330.00. There was a motion by Mr. Hart, seconded by Mr. Kauffman, to accept the above-listed bid from National Fleet Leasing Corp. for the lease/purchase of two 2005 police cruisers on the State "Piggyback" Program through Day Fleet Sales. Mr. Hart noted this would be a two-year lease with an option to buy the cruisers for \$1.00 at the end of the lease. Roll call vote: Mr. Hart – yes, Mr. Kauffman – yes, and Mr. Gindlesperger – yes. Motion carried unanimously.

2. **OPEN & ACCEPT FINANCE BIDS FOR TRUCK:** Only one bid was received which was from Leasing 2, Inc. at a 6.55% interest rate with annual payments of \$12,059.43 for five years; total amount to be financed - \$53,250.00. There was a motion by Mr. Kauffman, seconded by Mr. Hart, to accept the above-listed bid from Leasing 2, Inc. for the lease/purchase of a 2006 F550 dump truck on the State "Piggyback" Program through Manderbach Ford. Roll call vote: Mr. Kauffman – yes, Mr. Hart – yes, and Mr. Gindlesperger – yes. Motion carried unanimously.

### **ADJOURNMENT:**

There was a motion by Mr. Kauffman, seconded by Mr. Hart to adjourn the meeting at 10:51 a.m.

Submitted by,

David A. Hart, Secretary/Treasurer