

MINUTES OF REGULAR MEETING OF DECEMBER 20, 2006

The regular meeting of the Conemaugh Township Board of Supervisors was called to order at 7:08 p.m. on December 20, 2006 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:

Lou Huber of 1650 Soap Hollow Road, asked if the Supervisors heard anything further from PennDOT concerning the shoulder erosion along Soap Hollow Road. Mr. Hart answered, no; PennDOT had answered the Supervisors' letter and had said there was nothing they could do at that time. Mr. Huber requested the Supervisors write another letter to PennDOT on this issue. Mr. Hart stated they would do that.

Alan McCord of 132 Hillside Drive stated he had talked to Mr. Hart the other day regarding the bridge on Hillside Drive, and had been told the Township was looking at replacing it this spring. Mr. McCord informed the Supervisors that he and other residents that travel this bridge were concerned that it was unsafe. He had pictures showing how it was quickly deteriorating. Mr. Hart noted that an engineer from The EADS Group had inspected this bridge, but had not condemned it, stating it could be used. Mr. McCord stated he was concerned with what might happen if heavy emergency equipment would use the bridge. At this point, Mr. Hart asked Josh Kalp of The EADS Group to request their engineer, Todd Brewer, to look at this bridge again. Solicitor Beener reviewed Mr. McCord's pictures of the bridge.

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Ted Baldwin of 176 Bowser Lane stated he had a street light near his residence that had been off for approximately ten years and he would like it turned back on. Mr. Hart said the Township would contact Penelec regarding this. Mr. Kauffman informed Mr. Baldwin he would be there tomorrow to obtain the pole number for that streetlight. In another matter, Mr. Baldwin asked that the Township crew be careful while plowing in the area of his residence because he had a Mallard duck nest in the creek fenced off and did not want the plows to push snow down on them. Mr. Kauffman said he would look at this tomorrow also and inform the street crew.

Rick Froehlich of 144 Mitchell Court was in to discuss what the Supervisors could do about the box trailer parked at the end of his backyard, which was on the Menoher Swim Club property. He stated the owner said it was being used for storage, but Mr. Froehlich said if this was the case, then it did not meet proper requirements. He showed pictures of this trailer to the Supervisors and Solicitor. Mr. Froehlich asked if this matter could fall under the Township's junk vehicle ordinance. Mr. Hart informed him that ordinance only covered motorized vehicles. Mr. Froehlich asked about any set back requirements since the trailer was parked up against the fence. It was noted there were no set back requirements for fencing. Solicitor Beener stated he would look in a different direction on this matter. Chairman Gindlesperger said Solicitor Beener would look into this to see which Township ordinance this could pertain to and then a letter would be sent to Mr. Froehlich on what was found.

In another matter, Mr. Froehlich wanted to know why the Township had trimmed his trees along

Mitchell Court back in September/October. He wished he had been notified. Mr. Kauffman said the road crew had been out trimming trees that hung low enough to hit the plow trucks, but he would talk to the crew tomorrow to ask about this particular matter. Mr. Froehlich said he had no problem with it then, but he should have been told. He also felt the trees were not that low.

Nancy Little of 136 Mitchell Court informed the Supervisors she had never received a letter from the Sewer Department concerning the public meetings regarding the sewer project. Josh Kalp of The EADS Group replied that letters were only sent to those needing a right-of-way signed. Ms. Little wished she had the opportunity to attend a sewer meeting because she was concerned that the sewer line was running in front of her property rather than in the back. In order to tap into the system, she had to cross electrical lines, and there were also gas lines there. Mr. Froehlich stated they were never invited to any of the public meetings. Chairman Gindlesperger reiterated that these meetings were not public meetings; they were only for those people signing rights-of-way papers. Chairman Gindlesperger asked Ms. Little to stay after the meeting so the Supervisors and Josh Kalp could review the sewer project drawings with her.

MINUTES:

There was a motion by Mr. Kauffman, seconded by Mr. Hart, to accept the minutes of the regular meeting of November 15, 2006, and the Special Meeting of November 29, 2006. Roll call vote: Mr. Kauffman – yes, Mr. Hart – yes, and Mr. Gindlesperger – yes. Motion carried unanimously.

BILLS:

There was a motion by Mr. Hart, seconded by Mr. Kauffman, to pay the bills for the month of December 2006 in the amount of \$106,439.56 for the General Fund, \$11,244.99 for the Liquid Fuels Fund, and \$44,624.25 for the Sewer Fund. Roll call vote: Mr. Hart – yes, Mr. Kauffman – yes, and Mr. Gindlesperger – yes. Motion carried unanimously.

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POLICE REPORT:

The police reports as submitted by Chief Howard Jackson for the month of November 2006 for Conemaugh Township, Benson Borough, and Stoystown Borough were read. There was a motion by Mr. Kauffman, seconded by Mr. Hart, to accept the police report for the month of November 2006 for Conemaugh Township, Benson Borough, and Stoystown Borough. Roll call vote: Mr. Kauffman – yes, Mr. Hart – yes, and Mr. Gindlesperger – yes. Motion carried unanimously.

PERSONS TO BE HEARD:

None.

CORRESPONDENCE:

None.

OLD BUSINESS:

None.

NEW BUSINESS:

1. **ADOPTION OF 2007 BUDGET:** There was a motion by Mr. Hart, seconded by Mr. Kauffman, to adopt the final 2007 Budget for Conemaugh Township as follows: General Fund

01 - \$2,118,641; Street Light Fund 02 - \$31,109; Fire Protection Fund 03 - \$97,479; Sewer Fund 08 - \$1,227,301; and Liquid Fuels Fund 35 - \$307,042. (There would be no tax increase or sewer rate increase for 2007.) Roll call vote: Mr. Hart – yes, Mr. Kauffman – yes, and Mr. Gindlesperger – yes. Motion carried unanimously.

2. **TRANSFER OF TIPPING FEES:** There was a motion by Mr. Kauffman, seconded by Mr. Hart, to approve the transfer of all tipping fees received from the Southern Alleghenies Landfill in 2007 to a PA Treasury Investment Program; estimated amount to be received in 2007 was \$122,317.00. Chairman Gindlesperger stated the reason for doing this would be that the Township was not using the tipping fees to balance the 2007 budget. This money would not be used and would gain interest. He noted that the landfill tipping fees have been on a decline with the total collected in 2006 at \$176,000, compared to the \$391,861 collected in 2005, and the \$567,052 collected in 2004. Roll call vote: Mr. Hart – yes, Mr. Kauffman – yes, and Mr. Gindlesperger – yes. Motion carried unanimously.

3. **ADVERTISE FOR GASOLINE BIDS:** There was a motion by Mr. Hart, seconded by Mr. Kauffman, to ratify the advertisement for bids for regular unleaded gasoline to be supplied by a dispensing station using a card system. Roll call vote: Mr. Hart – yes, Mr. Kauffman – yes, and Mr. Gindlesperger – yes. Motion carried unanimously.

4. **MINOR SUBDIVISION REVISION:** The Conemaugh Township Planning Commission approved this Plan on 12/12/06, pending receipt of DEP Sewage Facilities Planning Module Component 1 for on-lot septic system. There was a motion by Mr. Kauffman, seconded by Mr. Hart, to approve the subdivision plan for Dorothy Maust, owner, and Jason Lehman, applicant, to create Lot #1 containing approximately 44.86 acres to have a dwelling and an on-lot septic system on same, with resultant residue being approximately 46.06 acres and having an existing dwelling and septic system thereon; all as shown on Lehman Subdivision Plan prepared by J. Ripple & Assoc. dated 10/15/06, and sealed by Jeffrey A. Ripple, P.L.S.; approval pending

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receipt of DEP Sewage Facilities Planning Module Component 1 for on-lot septic system. Roll call vote: Mr. Kauffman – yes, Mr. Hart – yes, and Mr. Gindlesperger – yes. Motion carried unanimously.

TIRE HILL SEWER PROJECT:

1. **SUBSTANTIAL COMPLETION CERTIFICATE, CONTRACT #1:** There was a motion by Mr. Hart, seconded by Mr. Kauffman, to approve the Substantial Completion Certificate, dated June 21, 2006, for Contract #1 - General, which is 100% complete. Roll call vote: Mr. Hart – yes, Mr. Kauffman – yes, and Mr. Gindlesperger – yes. Motion carried unanimously.

2. **CHANGE ORDER #6, CONTRACT #1:** There was a motion by Mr. Hart, seconded by Mr. Kauffman, to approve Change Order # 6 for Contract #1 – General, in the amount of (\$1,000.00). This was a negative figure. Roll call vote: Mr. Hart – yes, Mr. Kauffman – yes, and Mr. Gindlesperger – yes. Motion carried unanimously.

3. **FINAL QUANTITY ADJUSTMENT CHANGE ORDER #9, CONTRACT #5:** There was a motion by Mr. Kauffman, seconded by Mr. Hart, to approve the Final Quantity Adjustment Change Order #9 for Contract #5 – Sewerlines, in the amount of (\$96,533.07). Chairman Gindlesperger noted that this amount represents what the Township was *under* with

the total sewer project contract cost – this was a negative figure. Roll call vote: Mr. Kauffman – yes, Mr. Hart – yes, and Mr. Gindlesperger – yes. Motion carried unanimously.

4. **FINAL PENNVEST PAY REQUEST:** There was a motion by Mr. Hart, seconded by Mr. Kauffman, to approve final PENNVEST pay request as follows: Kukurin Contracting, Inc., Invoice #20 Final, in the amount of \$9,500.00; and Galway Bay Corporation, Invoice #11 Final, in the amount of \$9,500.00; approval contingent upon DEP and PENNVEST releasing the remaining 5% of the project costs. Roll call vote: Mr. Hart – yes, Mr. Kauffman – yes, and Mr. Gindlesperger – yes. Motion carried unanimously.

5. **2006 MS-4 ANNUAL REPORT:** The Township received DEP notification of the requirement to submit the 2006 MS-4 Annual Report. There was a motion by Mr. Hart, seconded by Mr. Kauffman, to approve The EADS Group to submit the 2006 MS-4 Annual Report by December 31, 2006. Roll call vote: Mr. Hart – yes, Mr. Kauffman – yes, and Mr. Gindlesperger – yes. Motion carried unanimously.

6. Josh Kalp of The EADS Group reported that all contracts pertaining to the Tire Hill Sewer Project were closed. There were 307 customers connected to date, with 268 being complete, and 9 failures. The DEP final inspection remains to be scheduled for Phase I prior to the final closeout – numerous requests have been sent to DEP to schedule this. The DEP permit for Phase II was on its way. The PENNVEST application was submitted on November 29, 2006; they visited the site – it should be known by January 23, 2007 as to what loan amount would be approved.

ITEMS FOR DISCUSSION:

1. There was a discussion on charging a fee for use of the Municipal Building meeting room by the general public. Mr. Hart stated that often times after the room was used, the heat and lights were left on, or the doors were left unlocked. Solicitor Beener suggested charging a security deposit that would be given back if everything was okay. He would look into this for **MINUTES OF DECEMBER 20, 2006 MEETING CONTINUED.**

the next meeting. Mr. Hart noted this would pertain only to the various public groups that use the meeting room such as soccer, football, car club, etc., not for any Township governmental organizations.

ANNOUNCEMENTS:

1. The Township received a \$25,000.00 donation this month from Waste Management to put toward the purchase of two new Dodge Durango police cruisers. This would be \$1,000.00 shy of paying completely for one of the cruisers; the Township would cover the cost of the other. Mr. Hart also noted that the unmarked cruiser was sold to Paint Township for \$6,500.00.

2. The reorganization meeting of the Township Supervisors would be held on Tuesday, January 2, 2007 at 7:00 p.m., with a Special Meeting immediately following for the purpose of opening bids received for regular unleaded gasoline to be supplied by a dispensing station using a card system, and any other business as deemed necessary. Chairman Gindlesperger noted the reason for this was that Township's gas storage tank was full of dirt and rust and there was no way of repairing it.

3. The Township Auditors would reorganize on Wednesday, January 3, 2007 at 9:00 a.m.

4. The next regularly scheduled meeting of the Township Supervisors would be held on Wednesday, January 17, 2007 at 7:00 p.m.

ADJOURNMENT:

There was a motion by Mr. Hart, seconded by Mr. Kauffman, to adjourn the meeting at 7:45 p.m.

Submitted by,

David A. Hart, Secretary/Treasurer