

MINUTES OF REGULAR MEETING OF FEBRUARY 22, 2006

The regular meeting of the Conemaugh Township Board of Supervisors was called to order at 7:01 p.m. on February 22, 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:

Merle Saylor of 938 Soap Hollow Road stated the right-of-way agreement he signed for the Tire Hill Sanitary Sewer Project was for a 30-foot right-of-way. He wanted to complain about the contractor going approximately 80 feet off the right-of-way onto his property without permission, and piling a high mound of dirt beside his house, making it impossible to get into his driveway. They also parked in his lawn without permission. Mr. Saylor stated the dirt remained for one month, and when it was removed it took him a day to clean up the stones in order to mow. He was upset the contractors did this without his permission. Ben Faas of The EADS Group asked Mr. Saylor if he filed a complaint on this. Mr. Saylor answered he did not know he should. Mr. Faas asked Mr. Saylor to see him after the meeting. Chairman Gindlesperger asked Mr. Faas if he was going to have Mr. Reeping look into this. Mr. Faas stated he would.

Rich Maldet of 256 Fernwood Drive wanted to know who was responsible for the road (Hemlock Road) from the North Fork Dam to Centennial Farm—it was in very bad condition with wood lying in ditches. Mr. Hart informed Mr. Maldet this was a Township road, and the Supervisors were aware of the situation, noting that the logging company had given the Township a bond in the amount of \$7,500.00 for any damage. Mr. Maldet felt that amount would not begin to fix the damage done to the road.

Joe Bell asked the Supervisors if they objected to him recording his comments and their responses. The Supervisors answered, no. Mr. Bell proceeded to turn on his recorder. He informed the Supervisors he has been trying since 1974 to develop 140 acres of farmland on West Campus Avenue. Mr. Bell stated he had discussed extending the sewer line to his property with Neilan Engineers in the past, and had submitted plans to the Conemaugh Township Planning Commission. He had also requested the sewer line extension at a meeting with the Supervisors, and had met with the Conemaugh Township Sewer Authority back when John McKool was active in it. Mr. Bell asked the Supervisors if they were believers in progress. They answered, yes. Mr. Bell asked if the sewer line was going up to Hoefeckers. The Supervisors answered, yes, it was in the process of being approved. Mr. Bell asked if it had been turned down before. Chairman Gindlesperger stated it was never designed before. Mr. Bell asked if \$300,000 was spent with Neilan Engineers to make a study on that and it was rejected. The Supervisors answered, no. Mr. Bell asked if there was a federal lawsuit for double dipping. The Supervisors answered, no. Mr. Bell stated that was contrary to what he heard on the grapevine. He stated he was here to develop property, and asked if the Supervisors had not promised to consider running the sewer line up to his property. Mr. Hart informed Mr. Bell the Township could not run a sewer line to undeveloped property. Mr. Bell felt it was not fair for him to install the line at his cost and also pay for tap-in fees. Chairman Gindlesperger informed Mr. Bell that was the way the majority of the sewer authorities operate—they would not run sewer lines to undeveloped property because it was not cost effective. It would cost approximately \$1,500 per foot and that cost in relation to the customer base would not be feasible. Chairman Gindlesperger told Mr. Bell he would have to run the sewer line to his

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property himself. Mr. Bell asked the Supervisors again if they would consider running the sewer line to his property, which would also take care of some homes along Soap Hollow Road. He stated he started this process when he was 35 years old and now he was 88 years old—he could not live forever. Mr. Bell stated there were rumors that the Supervisors were extending sewer lines for some people, even if it was not approved by PENNVEST. The Supervisors stated that was not true. Mr. Bell stated he then wanted a wholesale price on sewer. The Supervisors stated, no. Mr. Bell then stated the Supervisors were telling him they would not do anything to help him. At this point, Ben Faas of The EADS Group (formally Neilan Engineers) informed Mr. Bell he had looked for his plan from 1974 and could not find anything.

MINUTES:

There was a motion by Mr. Kauffman, seconded by Mr. Hart, to accept the minutes of the regular meeting of January 18, 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 February 2006 in the amount of \$96,043.75 for the General Fund, \$9,471.80 for the Liquid Fuels Fund, and \$105,461.02 for the Sewer Fund. Roll call vote: Mr. Hart – yes, Mr. Kauffman – yes, and Mr. Gindlesperger – yes. Motion carried unanimously.

POLICE REPORT:

The police reports as submitted by Chief Howard Jackson for the month of January 2006 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 January 2006 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:

Wendy Vogel, advisor for the Hollsopple Youth League, and member Aaron Telck, presented a letter to the Supervisors requesting the Township's assistance in removing an old rundown trailer sitting cattycorner from the Wooden Indian Tavern along Route 601 so the Youth League could create a small community park at the entrance to Benson Borough. Ms. Vogel noted the Hollsopple Youth League has been active in community improvement projects for the last two years, and has had various fundraisers in order to raise money for their projects. The Supervisors agreed to assist the Hollsopple Youth League in tearing down the dilapidated structure.

CORRESPONDENCE:

Chairman Gindlesperger read a letter of resignation from Robert Shroyer stating that he was resigning as the Animal Control Officer for Conemaugh Township effective February 7, 2006. Chairman Gindlesperger stated the Township would be using the County for animal complaints. The police have the telephone numbers, and the County does have a person working for them who lives in the Township. There was a motion by Mr. Kauffman, seconded by Mr. Hart, to accept the resignation of Robert Shroyer as Animal Control Officer effective February 7, 2006. Roll call vote: Mr. Kauffman – yes, Mr. Hart – yes, and Mr. Gindlesperger – yes. Motion carried unanimously.

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OLD BUSINESS:

1. CHANGE ORDER #8 FOR CONTRACT 5 (TIRE HILL SEWER PROJECT):

There was a motion by Mr. Kauffman, seconded by Mr. Hart, to approve Change Order #8 for Contract 5 in the amount of \$51,838.49 for several revisions to the Greenhouse Park Pump Station to accommodate Phase II flows. Roll call vote: Mr. Kauffman – yes, Mr. Hart – yes, and Mr. Gindlesperger – yes. Motion carried unanimously.

NEW BUSINESS:

1. **REQUEST FOR FIRE HYDRANTS:** The Conemaugh Township Municipal Authority has received requests from the community for additional fire hydrants. There was a motion by Mr. Hart, seconded by Mr. Kauffman, to give written approval to the Conemaugh Township Municipal Authority to install fire hydrants in the following locations: one in the Pine Crest Estates Area, one on Bowser Lane, and one on West Campus Avenue, provided there was the necessary pressure available. Roll call vote: Mr. Hart – yes, Mr. Kauffman – yes, and Mr. Gindlesperger – yes. Motion carried unanimously.

2. 2006 CDBG ENTITLEMENT APPLICATION COOPERATION AGREEMENT:

There was a motion by Mr. Kauffman, seconded by Mr. Hart, to authorize signing the Cooperation Agreement between the County of Somerset, Conemaugh Township Supervisors, and the Redevelopment Authority of Somerset County for the Township's 2006 CDBG Entitlement. Mr. Hart noted these funds were earmarked for Soap Hollow Road low-income resident tap-in fees for the Tire Hill Sewer Project, which would be approximately 200 taps. If any funds were left over, they would be re-appropriated at a later time. Roll call vote: Mr. Kauffman – yes, Mr. Hart – yes, and Mr. Gindlesperger – yes. Motion carried unanimously.

3. **CONEMAUGH TOWNSHIP YOUTH LEAGUE:** There was a motion by Mr. Hart, seconded by Mr. Kauffman, to grant permission to the Conemaugh Township Youth League to use the facilities at the Hollsopple ball field for the 2006 baseball season upon their written request. Mr. Hart noted this was an annual process. Roll call vote: Mr. Hart – yes, Mr. Kauffman – yes, and Mr. Gindlesperger – yes. Motion carried unanimously.

4. **REDUCE CTMA BOARD:** There was a motion by Mr. Hart, seconded by Mr. Kauffman, to reduce the Conemaugh Township Municipal Authority Board from seven members to five members; four to represent Conemaugh Township and one to represent Benson Borough. 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 subdivision on February 14, 2006. There was a motion by Mr. Kauffman, seconded Mr. Hart, to approve the subdivision plan for John Weaver, applicant, to create Lot No. 1 containing approximately 4.132 acres, having an existing dwelling and septic system thereon, from parent parcel no. S12-007-1312-00. Roll call vote: Mr. Kauffman – yes, Mr. Hart – yes, and Mr. Gindlesperger – yes. Motion carried unanimously.

6. **MINOR SUBDIVISION:** The Conemaugh Township Planning Commission approved the non-building waiver and subdivision plan on February 14, 2006. The non-building waiver was submitted and the plan bears a non-building statement. There was a motion by Mr. Hart, seconded by Mr. Kauffman, to approve the non-building waiver and subdivision plan of Terri

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Ann Dovey, applicant, to create Lot No. 5, undeveloped land containing approximately 5.65 acres, from parent parcel no. S12-006-165-00. Roll call vote: Mr. Hart – yes, Mr. Kauffman – yes, and Mr. Gindlesperger – yes. Motion carried unanimously.

7. **MINOR SUBDIVISION:** The Conemaugh Township Planning Commission approved this subdivision plan on February 14, 2006. Sewage Facilities Planning Module-Component I was approved by DEP via letter of October 16, 2005. The Jenner Township S.E.O. is responsible for permitting, approval of on-lot system design and installation. The Somerset County Planning Commission preferred that the subdivision approval be processed by Conemaugh Township. Solicitor Beener stated this Plan was okay for approval. There was a motion by Mr. Kauffman, seconded by Mr. Hart, to approve the subdivision plan for Harlan & Sheri Speigle, applicants, to create Lot No. 1 containing approximately 19.54 acres, to be recorded as located in Jenner Township, from parent parcel no. S12-009-173-01, with Lot No. 1 being conveyed to James Frederick. Roll call vote: Mr. Kauffman – yes, Mr. Hart– yes, and Mr. Gindlesperger – yes. Motion carried unanimously.

TIRE HILL SEWER PROJECT:

1. **PENNVEST PAY REQUEST #14:** There was a motion by Mr. Kauffman, seconded by Mr. Hart, to approve PennVest pay request #14 in the amount of \$113,254.75, as presented, with \$6,232.80 to be reimbursed by the Conemaugh Township Municipal Authority. 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 all four contracts for the sewer plant were moving slowly due to weather and no power to the site. Work was being done on the catwalk and windows. The power would be available soon; there was a meeting tomorrow regarding the power with Penelec. Contract 5 – Kukurin was working on the spurs on Moonshine Hollow Road off Tire Hill Road. Everything has been going along smoothly with no complaints, until tonight's complaint.

ITEMS FOR DISCUSSION:

1. **Traffic Ordinance** – Solicitor Beener stated Mr. Hart had given him some additions for the proposed traffic ordinance. The Supervisors and Solicitor Beener agreed to target the April 19, 2006 meeting for adoption of this ordinance.

ANNOUNCEMENTS:

1. The next regularly scheduled meeting of the Township Supervisors will be held on Wednesday, March 15, 2006 at 7:00 p.m.

ADJOURNMENT:

There was a motion by Mr. Hart, seconded by Mr. Kauffman, to adjourn the meeting at 7:38 p.m.
Submitted by,

David A. Hart, Secretary/Treasurer