

MINUTES OF REGULAR MEETING OF MARCH 15, 2006

The regular meeting of the Conemaugh Township Board of Supervisors was called to order at 7:01 p.m. on March 15, 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:

George Hickey of 1507 Tire Hill Road stated the flags were being displayed backwards in the meeting room.

Dave DiNiccola of RDM Johnstown L.L.C. stated his company received a request from the Supervisors through Ben Faas of The EADS Group to mark the Johnstown Water Authority lines for Phase II of the Township's Sanitary Sewer Project. He explained RDM was a private company that managed the Johnstown Water Authority and marking these lines would go beyond the normal scope of a PA One Call. Mr. DiNiccola stated this would require design work, and had advised the Johnstown Water Authority not to set precedence; but RDM would mark the lines for the Township at no charge to the Township or The EADS Group to promote good relations as the Johnstown Water Authority would like to supply water to the Township and surrounding areas in the future.

Ed Naugle of 1010 West Campus Avenue informed the Supervisors of a dangerous intersection at West Campus Avenue and Soap Hollow Road where vehicles were running the stop sign, and a farm truck was parking along the road in that area, blocking at least one half of the road. He stated a few accidents had occurred there in the recent past. Mr. Naugle was very concerned more accidents would happen. Chairman Gindlesperger said the Township police would look at the situation.

Lou Huber of 1690 Soap Hollow Road requested the Supervisors write letters to PennDOT and DEP to see if the stream could be cleaned out and room made for walking along Soap Hollow Road in the area of his residence and Massimo's. He noted a car went over the bank and into the stream last week near Blackner Road. Mr. Huber stated in 1955 there was room to park a car along the road and to walk, but due to erosion this could not be done any more. He further noted school buses travel this road frequently. Chairman Gindlesperger stated the Supervisors would look into this matter.

Jeff Lybarger of 1002 Soap Hollow Road stated he had informed the contractors installing the pipe for the sanitary sewer project not to block the ditch by his residence, but they installed a manhole in the middle of the ditch anyway. He said heavy rains or snowmelt causes water to run out across the road in that area now. Mr. Lybarger felt the only way to correct the problem would be to bore under the roadway. Ben Faas said The EADS Group would look into this.

Merle Saylor of 938 Soap Hollow Road had issues regarding the water and sewer projects such as how his hedges were set back in place, and the piles of dirt 80 feet off the right-of-way onto his property. Ben Faas of The EADS Group informed Mr. Saylor that the dirt was piled there to save his hedges, and after restoration was complete all of his issues would be resolved. Mr. Saylor was not satisfied.

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Ernest Spory of Ham Road further explained Mr. Saylor's concerns to the Supervisors. He also said he, as Conemaugh Township Emergency Management Coordinator, wanted to inform the Supervisors of safety issues where the sewer project contractors were working along Ham Road. Mr. Spory stated the contractor removed all signs, cones, and traffic control, which he felt opened the Township up for liability. He said he was informing the Supervisors so the contractor could be notified since the Supervisors hired the contractor and were elected to look out for the best interest of the Township—he was going through the proper chain of command. Ben Faas of The EADS Group stated he would talk to the contractor.

MINUTES:

There was a motion by Mr. Hart, seconded by Mr. Kauffman, to accept the minutes of the regular meeting of February 22, 2006. 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 March 2006 in the amount of \$107,065.22 for the General Fund, \$300.70 for the Liquid Fuels Fund, and \$125,221.69 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 February 2006 for Conemaugh Township and Benson Borough were read. There was a motion by Mr. Kauffman, seconded by Mr. Hart, to accept the police reports for the month of February 2006 for the Township and Benson Borough. Roll call vote: Mr. Kauffman – yes, Mr. Hart – yes, and Mr. Gindlesperger – yes. Motion carried unanimously.

PERSONS TO BE HEARD:

Ralph Mlaker of 1976 Valley View Drive stated he had been concerned with the job the Township did at the intersection of Valley View Drive and Miller Picking Road, thinking it had been a waste of taxpayers' money. But, he said after he saw the repair that was done, he apologized, it was not a waste of taxpayers' money, the Township was on the right track. The Supervisors informed him that this was only a temporary repair. Mr. Mlaker wanted to know when the work would be completed. Mr. Hart stated the Township would not be able to get to it until after spring clean up week or May 1st. Mr. Kauffman said the grader would go up periodically to keep the area level until it was permanently fixed. Mr. Mlaker thanked the Supervisors.

CORRESPONDENCE:

1. A letter was received from the Jerome Memorial Day Committee requesting a \$500.00 donation for the Jerome Memorial Day Services to be held on Monday, May 29, 2006. It was noted there was \$350.00 budgeted for this donation. There was a motion by Mr. Hart, seconded by Mr. Gindlesperger, to donate \$350.00 to the Jerome Memorial Day Committee for their services on May 29, 2006. Roll call vote: Mr. Hart – yes, Mr. Gindlesperger – yes, and Mr. Kauffman – yes. Motion carried unanimously.

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2. A letter was received from St. Francis Sharing & Caring requesting the Township vacate an old right-of-way, formerly known as Pine Street, to the Lot-2 of said property owned by St. Francis Sharing & Caring, Inc. Solicitor Beener asked if the Township or the State formerly owned Pine Street. He was informed it was formerly owned by the State and abandoned to the Township, but the Township never used it as a road. Solicitor Beener stated that St. Francis Sharing & Caring was requesting the Township to *convey* the right-of-way over to them, not to *vacate*. Mr. Hart said the land was surveyed and subdivided—the minor subdivision plan was later in the Agenda for the Supervisors' approval. Solicitor Beener noted the Supervisors needed to approve the conveyance of this right-of-way first, and then approve the subdivision plan. There was a motion by Mr. Hart, seconded by Mr. Kauffman, to convey the old right-of-way, formerly known as Pine Street, to St. Francis Sharing & Caring, Inc. Roll call vote: Mr. Hart – yes, Mr. Kauffman – yes, and Mr. Gindlesperger – yes. Motion carried unanimously.

OLD BUSINESS:

None.

NEW BUSINESS:

1. **OPEN BIDS FOR SALE OF STREET SWEEPER:** Chairman Gindlesperger opened the only bid received for the sale of the 1996 Athey Mobil Street Sweeper, to be sold as-is, which was from Gaudino Brothers L.L.C of Freedom, PA in the amount of \$2,660.00. Mr. Hart indicated the sweeper was worth over \$20,000. There was a motion by Mr. Hart, seconded by Mr. Kaufman, to reject the bid of \$2,660.00 from Gaudino Brothers L.L.C. for the 1996 Athey Mobil Street Sweeper. Roll call vote: Mr. Hart – yes, Mr. Kauffman – yes, and Mr. Gindlesperger – yes. Motion carried unanimously.

2. **2006 ROAD & PETROLEUM BIDS:** There was a motion by Mr. Kauffman, seconded by Mr. Hart, to advertise for bids for the Township's 2006 road and petroleum materials, bids to be opened at the April 19th meeting. Roll call vote: Mr. Kauffman – yes, Mr. Hart – yes, and Mr. Gindlesperger – yes. Motion carried unanimously.

3. **2006 SPRING CLEAN UP:** There was a motion by Mr. Hart, seconded by Mr. Kauffman, to advertise Spring Clean Up Week for April 24 through 28, 2006. Roll call vote: Mr. Hart – yes, Mr. Kauffman – yes, and Mr. Gindlesperger – yes. Motion carried unanimously.

4. **APPOINTMENT TO CTMA BOARD:** Chairman Gindlesperger read a letter received from Mark Von Lunen who indicated he was interested in serving on the Conemaugh Township Municipal Authority Board. There was a motion by Mr. Kauffman, seconded by Mr. Hart, to appoint Mark Von Lunen to the Conemaugh Township Municipal Authority Board to fill the unexpired term of Ronald Cowan, term to expire January 8, 2007. Roll call vote: Mr. Kauffman – yes, Mr. Hart – yes, and Mr. Gindlesperger – yes. Motion carried unanimously.

5. **MINOR SUBDIVISION:** The Conemaugh Township Planning Commission approved this plan on March 14, 2006 pending receipt of favorable comment from the Somerset County Planning Commission. Favorable comment was received. There was a motion by Mr. Kauffman, seconded by Mr. Hart, to approve the subdivision plan for Robert & Evelyn Cable, owner and applicant, to create Parcel A containing approximately 0.371 acres, and Parcel B containing approximately 1.196 acres, and to merge both aforesaid parcels with existing parcel, map no. 12-006-154-00, owned by Wesley & Kathy Yoder, all as shown on Sheet No. 1 of 1

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revised 3/3/2006 and sealed by Randolph L. Cortese, P.L.S. 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 this plan on March 14, 2006 pending receipt of favorable comment from the Somerset County Planning Commission. Favorable comment has been received. There was a motion by Mr. Kauffman, seconded by Mr. Hart, to approve the subdivision plan for Joseph & Verna Stevens, owner, and St. Francis Sharing & Caring, applicant, to create Parcel C containing approximately 0.08 acres from parent parcel at Stevens Lane, property map no. S12-009-063-00; Parcel C to be merged with adjoining Lot 2 owned by St. Francis Sharing & Caring (Tax Parcel No. S12-009-063-03). Roll call vote: Mr. Kauffman – yes, Mr. Hart – yes, and Mr. Gindlesperger – yes. Motion carried unanimously.

7. **MINOR SUBDIVISION:** The Conemaugh Township Planning Commission approved this plan on March 14, 2006 pending receipt of favorable comment from the Somerset County Planning Commission. Favorable comment has been received. There was a motion by Mr. Hart, seconded by Mr. Kauffman, to approve the subdivision plan for Conemaugh Township, owner, and St. Francis Caring & Sharing, applicant, to create Parcel A containing approximately 0.17 acres from the Township's right-of-way (abandoned by PennDOT to the Township) at Woodstown Highway and Stevens Lane; Parcel A to be merged with adjoining Lot 2 owned by St. Francis Sharing & Caring (Tax Parcel No. S12-009-063-03). Roll call vote: Mr. Hart – yes, Mr. Kauffman – yes, and Mr. Gindlesperger – yes. Motion carried unanimously.

TIRE HILL SEWER PROJECT:

1. **PENNVEST PAY REQUEST #15:** There was a motion by Mr. Kauffman, seconded by Mr. Hart, to approve PennVest pay request #15 in the amount of \$105,913.02, as presented. Of this amount, \$90,261.62 is contributed to the required \$700,000 Local Share. As of this pay request, the Township has contributed \$379,000 to this project. Roll call vote: Mr. Kauffman – yes, Mr. Hart – yes, and Mr. Gindlesperger – yes. Motion carried unanimously.

2. **CHANGE ORDER #3 FOR CONTRACT #1:** There was a motion by Mr. Hart, seconded by Mr. Kauffman, to approve Change Order #3 for Contract #1, Sewer Plant, to extend Contract #1 thirty days to complete all work, and an additional thirty days for start-up (total 60 days). Roll call vote: Mr. Hart – yes, Mr. Kauffman – yes, and Mr. Gindlesperger – yes. Motion carried unanimously.

3. **CHANGE ORDER #2 FOR CONTRACT #2:** There was a motion by Mr. Hart, seconded by Mr. Kauffman, to approve Change Order #2 for Contract #2, Electrical, to extend Contract #2 for thirty days to complete all work, and an additional thirty days for start-up (total 60 days). Roll call vote: Mr. Hart – yes, Mr. Kauffman – yes, and Mr. Gindlesperger – yes. Motion carried unanimously.

4. **CHANGE ORDER #1 FOR CONTRACT #3:** There was a motion by Mr. Kauffman, seconded by Mr. Hart, to approve Change Order #1 for Contract #3, HVAC, to extend Contract #3 thirty days to complete all work. Roll call vote: Mr. Kauffman – yes, Mr. Hart – yes, and Mr. Gindlesperger – yes. Motion carried unanimously.

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5. **CHANGE ORDER #1 FOR CONTRACT #4:** There was a motion by Mr. Hart, seconded by Mr. Kauffman, to approve Change Order #1 for Contract #4, Plumbing, to extend Contract #4 thirty days to complete all work. Roll call vote: Mr. Hart – yes, Mr. Kauffman – yes, and Mr. Gindlesperger – yes. Motion carried unanimously.

6. **UPDATE SEWER PROJECT:** Ben Faas of The EADS Group reported that the project had been slow this month. Contract #5, Sewer Lines - work was finished on Moonshine Hollow Road today; all sewer lines would be complete by April 1st. Work on the pump house would begin soon-at present it was too wet at Greenhouse Park. All concrete work would be done soon. Restoration would begin in April with the initial restoration being completed within six weeks. Penelec had installed electrical lines at the sewer plant, and Verizon was contacted to install communication services.

ITEMS FOR DISCUSSION:

1. **Traffic Ordinance** – Solicitor Beener distributed the draft Traffic Ordinance to the Supervisors for review, stating the target date for adoption would be at the April 19th meeting.

At this point, the Supervisors went into an executive session at 7:49 p.m. to discuss personnel matters. They returned at 8:08 p.m.

ANNOUNCEMENTS:

1. The next regularly scheduled meeting of the Township Supervisors will be held on Wednesday, April 19, 2006 at 7:00 p.m.

ADJOURNMENT:

There was a motion by Mr. Hart, seconded by Mr. Kauffman, to adjourn the meeting at 8:09 p.m.
Submitted by,

David A. Hart, Secretary/Treasurer