

MINUTES OF REGULAR MEETING OF NOVEMBER 15, 2006

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

Lou Huber of Soap Hollow Road reported that the contractor on the sewer project removed a corner property marker from the property owned by his sister, Theresa Shaffer, at 1712 Soap Hollow Road. Mr. Huber wanted to know when this marker would be replaced. Josh Kalp of EADS stated he would take care of that.

Ronna Marisa of 183 Marisa Lane updated the Supervisors on their unresolved zoning issue with the Besyk kennels, which has been going on for the past three years. She stated the kennel business still continues even though they were in non-compliance of a zoning variance. Mrs. Marisa stated that yesterday they received a petition from the court for contempt filed against them by the Besyks. She did not know why they received this, noting that it was filed strictly on their case against the Besyks. Mrs. Marisa wanted the Supervisors to file contempt against the Besyks, indicating they had spent approximately \$20,000 to-date fighting this matter with the Besyks. Solicitor Beener informed Mrs. Marisa they would have to talk to their lawyer on this matter; this was not a Township issue, but he would attend the court just to see what was going on. Mrs. Marisa stated court would be this Monday at 9:30 a.m.

Brett Werder of 105 Norlin Drive wished to discuss the agenda item dealing with the survey sent out by the Supervisors asking the residents if taxes should be increased 1 mill to be given to
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the fire companies and .5 mill for the EMS. He said how could anyone make an informed decision on this without having all the information. Mr. Werder wanted to know if anyone investigated the financial side of this, and also the other municipalities served by the fire companies and EMS. Chairman Gindlesperger informed Mr. Werder that one mill of tax would bring in approximately \$98,000.00, which would be split four ways to the fire companies. He stated that the Supervisors were approached by the fire companies and EMS asking for the funds, and the Supervisors felt the question should be put out to the public. Chairman Gindlesperger agreed this should have been explained on the survey. Mr. Hart agreed it was the Supervisors' fault for assuming the people were aware of what was going on. He said in order to see what one mill would cost the taxpayer it would be \$60 for every \$6,000 of assessed value, or divide their Township real estate tax by 7 mills. Solicitor Beener stated the survey was not really a vote; it was a request from the Supervisors to find out public opinion. The Supervisors were asked for monetary support and to do this it would involve more taxes. Chairman Gindlesperger noted the Supervisors gave the fire companies one mill of tax in 2005 after it was requested from the fire companies, which had been a budgeted item with no tax increase involved. The fire companies were requesting the 1 mill of tax again, and this was not possible to do in this budget without raising taxes, and therefore it was decided to ask the public. Mr. Werder stated he was just wondering if there was more informed way of putting the question out there, and he was just making comments.

Bill Miller of 186 Thomas Street stated that in the 1990's there had been talk about the Jerome and Hollsopple fire companies consolidating. He felt that it would make common sense for the fire companies to consolidate – Jerome and Hollsopple, Ideal and Krings –having only two fire companies and having substations. Mr. Miller noted that he had been a member of a fire company in the past.

Joyce Graham stated she agreed with Mr. Miller, indicating there had been a feasibility study done in the past concerning consolidating the fire companies. She suggested that there be a paid fire company with a man stationed 24-7.

Various residents in attendance continued to voiced their opinions and concerns. Most were in favor of consolidating the fire companies. A comment was made if these tax dollars were given to the fire companies, who would oversee how their hard-earned dollars were being spent. Solicitor Beener noted the Township did not audit the fire companies, and 1 mill would equal approximately \$25,000 or less to be given to each fire company, which was not that much. Someone suggested that 1.5 mills be given to the fire companies. Mr. Miller felt that the consolidation needed to just be done, which would save a lot of money.

Another question asked concerning the survey was what would the renters pay toward the fire companies, since they do not pay real estate taxes. The Supervisors stated the survey was sent out to all voters in the Township. Those who rented could vote yes, but would not end up paying anything, and this would be a concern. Someone suggested a flat tax. Solicitor Beener informed them the Emergency Services Tax (EMST) was a flat tax at a maximum rate of \$52.00 per person working within the Township, but this tax was limited and hard to collect. Another person stated that going by millage was unfair because it would depend on how much the property was worth; some would pay more and some would pay less. Someone asked if the ambulance company was under the Township. Solicitor Beener answered that the fire companies and the EMS all were operating independently.

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MINUTES:

There was a motion by Mr. Hart, seconded by Mr. Kauffman, to accept the minutes of the regular meeting of October 25, 2006. Roll call vote: Mr. Hart – yes, Mr. Kauffman – 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 November 2006 in the amount of \$56,644.92 for the General Fund, \$4,665.56 for the Liquid Fuels Fund, and \$28,225.12 for the Sewer Fund. Roll call vote: Mr. Hart – yes, Mr. Kauffman – yes, and Mr. Gindlesperger – yes. Motion carried unanimously.

POLICE REPORT:

None.

PERSONS TO BE HEARD:

None.

CORRESPONDENCE:

None.

OLD BUSINESS:

1. **SPELLING OF HOLLSTOPPLE:** Solicitor Beener stated he looked into the history of the name and found it spelled with one "I" and with two "I's" and he passed his information on to the Supervisors. Chairman Gindlesperger stated there would be a lot of cost involved to change the spelling. Ernest Spory stated Hollsopple was Benson Borough. Solicitor Beener noted that Hollsopple was a village with a portion of it being in the Township and had nothing to do with Benson Borough. Supervisors Mr. Gindlesperger, Mr. Hart, and Mr. Kauffman all agreed to let the name of Hollsopple be spelled the way it was currently with two "I's".
2. **STATEMENT RETRACTION:** Mr. Hart stated that he had made the statement at the September 20, 2006 meeting during the discussion of using MDIA to administer the Township PAUCC permitting and inspections that by going with MDIA "it would also eliminate homeowners needing to have an engineer or architect drawing prior to the permit being issued...". Mr. Hart said this would not be true, only commercial building needed an architect stamp and drawing. This statement would be corrected in the September 20, 2006 minutes.

NEW BUSINESS:

1. **SURVEY RESULTS:** Chairman Gindlesperger reported that as of today 711 survey cards were received back with the results as follows: 1 mill for fire company = 328 – yes & 383 – no. .5 mill for EMS = 263 – yes & 448 – no. There were 79 card received with no names or addresses, which were required to have the vote counted.
2. **2007 PROPOSED BUDGET:** There was a motion by Mr. Hart, seconded by Mr. Kauffman, to approve the proposed 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.

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3. **RESOLUTION R03-06:** There was a motion by Mr. Hart, seconded by Mr. Kauffman, to adopt Resolution R03-06 eliminating member contributions into the Conemaugh Township Police Pension Fund for the year 2007. 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 11/14/06. There was a motion by Mr. Kauffman, seconded by Mr. Hart, to approve the subdivision plan for Cambria Somerset Authority, owner and applicant, to create 0.16 acre Lot No. 1 from the parent parcel #S12-011-008-00 for the purpose of installing a raw water pumping station for the Somerset County General Authority project, as shown on Sheet 1 of 1 prepared by CME Engineering and sealed by Sean C. Isgan on 11/6/06; this Plan is intended to supercede previously approved minor subdivision plan recorded on Page 70 of Plat Book Volume 25.. Roll call vote: Mr. Kauffman – yes, Mr. Hart – yes, and Mr. Gindlesperger – yes. Motion carried unanimously.

TIRE HILL SEWER PROJECT:

1. **RESOLUTION R04-06:** There was a motion by Mr. Kauffman, seconded by Mr. Hart, to approve Resolution R04-06 authorizing the Conemaugh Township Supervisors to submit a Financial Assistance Application to PENNVEST for financing the construction, rehabilitation,

and/or extension of the sanitary sewer system. Roll call vote: Mr. Kauffman – yes, Mr. Hart – yes, and Mr. Gindlesperger – yes. Motion carried unanimously.

2. **LETTER OF RESPONSIBILITY:** There was a motion by Mr. Hart, seconded by Mr. Kauffman, to authorize the Conemaugh Township Supervisors to sign and submit a Letter of Responsibility pertaining to the application for Financial Assistance in the amount of \$15,400,000.00 from PENNVEST for the establishment or improvement for collection and treatment of the sewage system in Conemaugh Township. It was noted that this was the total project cost for Phase I and Phase II of the Tire Hill Sanitary Sewer Project, which would also take us into Upper Yoder Township. Roll call vote: Mr. Hart – yes, Mr. Kauffman – yes, and Mr. Gindlesperger – yes. Motion carried unanimously.

3. **UPDATE SEWER PROJECT:** Josh Kalp of The EADS Group reported: Contract 1 – General – The Substantial Completion Certificate dated June 21, 2006 was prepared and would be presented to the Supervisors for approval at the December meeting. Contracts 2, 3, & 4 were closed. Contract 5 – Sewerlines – Some minor punch list items remained to be completed. A final quantity adjustment Change Order was being prepared and would be presented to the Supervisors for approval at the December meeting. As of Friday there were 288 connections to the sewer system completed with nine failures. There were 84 remaining to be connected. Mr. Kalp stated the Phase II PENNVEST application would be submitted by November 29, 2006. The DEP permit was received two weeks ago, but rights-of-ways were still being obtained.

ITEMS FOR DISCUSSION:

None.

ANNOUNCEMENTS:

1. The next regularly scheduled meeting of the Township Supervisors will be held on Wednesday, December 20, 2006 at 7:00 p.m.

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ADJOURNMENT:

There was a motion by Mr. Kauffman, seconded by Mr. Hart, to adjourn the meeting at 7:55 p.m.

Submitted by,

David A. Hart, Secretary/Treasurer