

## MINUTES OF REGULAR MEETING OF AUGUST 15, 2007

The regular meeting of the Conemaugh Township Board of Supervisors was called to order at 7:05 p.m. on August 15, 2007 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.

Solicitor Beener stated the Township had advertised for bids for the sale of excess used police weapons. Bids were due by 7:00 p.m. today and no bids had been received. He asked if anyone had bids to submit, to do so at this time.

At this point, the Supervisors addressed the large body of public present concerning the recent sewer rate increase. Josh Kalp of The EADS Group, the Township Engineer, passed out review sheets he had prepared. He stated in April 2007, the Supervisors contacted The EADS Group indicating that the monthly billings were not meeting the monthly expenses of the Sewer Department, and they requested EADS perform a rate evaluation. The evaluation was completed, a rate increase was warranted, which was passed at the July 18, 2007 meeting. Mr. Kalp explained that his review sheets showed two comparisons: 1) a monthly deficit of \$16,000.00 without the Tire Hill Sewer System being included (Benson STP and Jerome STP only). This scenario showed 1,105 customers at \$14.48 per customer per month. Monthly billings were \$45,000.00 and monthly expenses were \$61,000.00. 2) a monthly deficit of \$24,764.74, which included all current sewer systems. This scenario showed 1,740 customers at \$14.28 per customer per month. Monthly billings were \$75,339.22 and monthly expenses were \$100,103.96. These were actual averaged figures from October 2006 through March 2007 for the Sewer Department.

Page two of Mr. Kalp's review showed the Township's Sewer Department's 2007 monthly budget, revenue and expenses for the total sanitary sewer system, prior to the July 2007 rate increase. Mr. Kalp said what it came down to was that the Sewer Department needed to generate approximately \$25,000.00 more per month. Mr. Kalp noted the rate increase was approximately 33%. There was some discussion as to whether the increase was actually 40% instead of 33% due to the drop in usage gallons from 1,000 to 800.

The following summarizes the various issues discussed regarding the sewer rate increase:

➤ Who was being paid for the "Contract Operator Services" at \$11,500.00 per month? - *Answer* - Randy Younkin was a licensed operator contracted by the Sewer Department for complete sewer plant operations, including the hauling and disposal of the sludge and performing the testing at his cost, including purchasing the necessary chemicals.

➤ The \$8,000.00 per month "Other Payroll Expenses", including the "Payroll Tax Expense", "Hospitalization & Life Insurance", & "Pension Plan" expenses were questioned. - *Answer* - These expenses cover three full-time Sewer Department employees.

➤ It was stated that it was "cheaper" to run the Sewer Department before Russ McCauliff was "disposed" of. - *Answer* - Randy Younkin was contracted while Mr. McCauliff was here, and it was noted that Mr. McCauliff left on his own accord for other employment.

➤ The public in attendance had a sheet listing the sewer and water rates for the surrounding

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communities who were doing the same with their systems as the Township - why didn't they have to pay sewer rates as high as Conemaugh Township residents—life styles were affected by the rate increase. – *Answer* – The Supervisors invited anyone in the room to look at the Sewer Department's budget and make suggestions so sewer rates would not have to be raised.

➤ An individual in charge of the Tire Hill Sewer Project was contacted at PENNVEST to find out if a rate increase had been anticipated for the Tire Hill Sewer Project when it was completed, and this individual had said there was no reason for a sewer rate increase- that had not been anticipated. This individual at PENNVEST further suggested that perhaps the problem was that the sewer fund monies were being used for other things in the Township, which often happens across the State. It was noted that the PENNVEST representative did NOT accuse the Conemaugh Township Supervisors of this, however. – *Answer* - The Supervisors stood 100% behind the fact that the sewer monies collected were being used solely for the operation of the Sewer Department. Solicitor Beener noted that this concern was certainly a state-wide concern, noting that the Township keeps its General Fund and Sewer Fund completely separate.

➤ Did any of the three Supervisors receive a supplemental income from the Sewer Department for salary, etc.? – *Answer* – Solicitor Beener stated that when Mr. McCauliff resigned as manager of the Sewer Department to take a position at an engineering firm, he was not replaced, and Mr. Hart took over managing the Sewer Department. His salary stayed the same, but a portion of Mr. Hart's salary was reimbursed by the Sewer Department.

➤ It was stated that Mr. Hart could only receive pay for being Supervisor and Secretary/Treasurer, nothing from the Sewer Department could be supplemented to pay him. – *Answer* – Solicitor Beener said Mr. Hart was not receiving a “supplemental” income from the Sewer Department, but the Sewer Department was **reimbursing** the Township for a portion of Mr. Hart's time, his salary remained the same.

➤ PENNVEST would not approve a project unless the user fees matched the debt obligation—what was the reason the user fees were not meeting the debt now? PENNVEST had said the Township had more than enough money for this project. Why was it costing \$1,000.00 per month for repairs to the sewer system if it was new? *Answer* – It was not just the Tire Hill Sewer Project that was not meeting the debt; it was the entire sewer system. Solicitor Beener noted that only part of the Township's sewer system was new, the rest was old, which did need repairs. The public disputed this answer, stating that the old sewer system was all gravity flow, what repairs would it require.

➤ It cost more to flush than to drink in the Township. Some residents were paying as high as \$107.00 per month for their sewer bill and they wanted to know how they could live with this.

➤ Did the Township apply for grants to help with the sewer project? – *Answer* – When an application was submitted to PENNVEST for funding it was decided by PENNVEST whether or not a grant was warranted. There was no grant received for the Tire Hill Sewer Project because PENNVEST rated the project and the Township was not approved for a grant.

➤ A resident stated she had called the Sewer Office asking about the rate increase and was told that the reason for the present rate increase was that the rate increase in 2004 had not been enough to cover the debt and the Sewer Department was in debt for the last six months. The question was what was done within the last six months that the rate increase from 2004 was not covering the expenses anymore—what was being done right for the first two years that was not being done now? What other options were looked at prior to the increase such as cutting down on the Sewer Department employees, or looking at another contracted operator to take care of the sewer plants? – *Answer* – The Supervisors stated that Mr. Younkin was a certified operator and

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his rates were good, and there was probably only one more available like him in this area who was more costly. It was very hard to find anyone.

➤ Where else could the Sewer Department cut its budget - that was what they had to do with their own budgets to pay their bills? *Answer* – The Supervisors indicated that there were only three full-time employees within the Sewer Department now, and they did not see how they could cut employees back any less than that.

➤ The portion of Mr. Hart's salary paid by the Sewer Department should be put back to the General Fund where there was surplus money to pay for it, which would cut back on the sewer rate increase. – *Answer* – Solicitor Beener stated this could be looked into.

➤ The minimum rate for those residents not on the water system for sewage (unmetered) was \$45.00/month. Who in the room had a water bill as low as \$45.00/month? Something was wrong with this. Those residents could use as much water as they wanted to flush down the sewer system for only \$45.00.

➤ Due to the rate increase, the consumption would drop causing income to the Sewer Department to be less. – *Answer* – Solicitor Beener noted that the main reason for this rate increase was consumption. Mr. Kalp stated whenever the analysis was done, everything was based on consumption and a drop in consumption was figured into the rate increase. When the rates were set in 2004, they were based on an average consumption figure of about 4,000 gallons per month, but in actuality it turned out to be only 3,000 gallons per month.

➤ Part of the reason for the rate increase was that the original engineering study over estimated the amount of tap-ins. It was felt this should have been spotted a long time ago. – *Answer* – Solicitor Beener stated the tap-ins were not the really the problem, but when all the numbers were put through in 2004, the rates were set too low. The Tire Hill Sewer Project began operating last fall and when everything was said and done it was found that the rates were not where they should be.

➤ When the Township had a survey done in the past for a sewer project in the areas of Jerome, Hoffecker Heights, Thomas Mills, and North Fork Country Club Road, PENNVEST would not approve the project because the users' fees would not cover construction costs. Thomas Mills was then removed from the project, which was again rejected. Then Hoffecker Heights was removed and the project was still rejected. PENNVEST said that North Fork Country Club Road had to be removed also. This study was paid for by the Township and completed. The project was approved, and the sewer project for Ideal was already approved. All that needed to be done was to put the Ideal area sewer project out for bid. Now the current Township engineering firm was performing another study for a sewer project in that same area in which PENNVEST had said the users' fees would not meet the construction costs. Who was paying this engineer to do the same study again when nothing had changed? – *Answer* – The Supervisors noted that an engineering study had not been done in the Thomas Mills area in the past. Mr. Kalp stated that DEP required the Township to update the plan.

➤ The Thomas Mills area was not going to pass for a sewer project according to Larry Gasporato, so why would it be approved now? – *Answer* – Mr. Kalp stated there was a meeting one week ago with Mr. Gasporato and Mr. Gasporato did not say that the project would not be approved.

➤ Since the water usage determined the sewer fees, why wasn't the water and sewer bills sent out on the same bill, why did it take a separate department to do the sewage billings? – *Answer* – The Supervisors noted this was the way it was set up prior to them taking office, but stated that it could be done, it had been done in the past, but it would take time. The water and sewer were in the same building at one time and they shared secretarial services. It was asked if this option was looked into. – *Answer* – No, it was not looked into. The Supervisors noted that it

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would take PENNVEST approval for this to be done.

➤ There were two secretaries working for the water authority, the meters were read, the water billings went out, the information was passed on to the Township's Sewer Department, and two more secretaries sent out the billings for the sewer. Money could be saved by eliminating the two secretarial positions in the Sewer Department and by putting the water and sewer billings together on one bill - let the water authority do the billing. – *Answer* – The Supervisors wanted to know, if this were done, who was going to receive the sewer payments, complaints, and do the PENNVEST paper work, etc.

➤ How could some municipalities run their sewer departments for so much less than the Township? – *Answer* – Solicitor Beener reviewed the sheet with the rate comparisons from the other municipalities. It was noted that some municipalities did not maintain their own sewage plants.

➤ The Township billed for the rate increase too soon—one bill ran from 5/31 to 6/29, the last bill ran from 6/29 to 8/1, and the rate increase went into effect 8/1. The sewage bills showed additional cost for service in June which included the new rate increase because the billing went out after 8/1- there should not have been a rate increase on this past bill, it should be on the next one. – *Answer* - Solicitor Beener asked to see the sewer bill.

➤ Was a grant received for the rocks at Greenhouse Park (Whitewater Project). – *Answer* – Yes. Also, a lot of private funding was received—no tax dollars were used. How many people have a kayak? Who was benefiting from this project? What about flooding that could be caused by the rocks being placed into the creek? – *Answer* – The Supervisors noted that DEP had to approve this project.

➤ Why wasn't a grant received for the sewer project? – *Answer* – The Township did not get a grant approval from PENNVEST.

➤ How were those residents on low income going to pay for their sewage when their bills were over \$80.00/month now? Where were they going to cut their personal budgets? What if they could not pay—what would the Township do with delinquent residents? - *Answer* – The Supervisors stated that their water would be shut off and a lien would be put against their homes.

➤ What would be done about the people not tapped into the system yet? – *Answer* – Mr. Kalp stated that there were approximately 66 tap-ins remaining as not connected or that had failed the pressure test, but those residents were still paying sewage bills.

➤ What were the Supervisors going to do about the rate increase for Benson Borough residents since they did not benefit anything from the Township, and why should they have to pay for the salary reimbursement of Mr. Hart? – *Answer* – Benson Borough was connected to the Township's sewer system. The salary reimbursement from the Sewer Department for Mr. Hart was for the time he spent doing sewage related business only.

➤ What did Mr. Hart do for the Sewer Department? – *Answer* – Solicitor Beener stated Mr. Hart was doing the same job as Mr. McCauliff did in the past.

➤ A question regarding the sewage was called in to the Sewer Department, the secretary could not handle the question, and the call was passed on to Mr. Hart.

➤ Since Mr. Gindlesperger was a part-time roadmaster, he should come in to watch the Sewer Department's office if the Sewer Department secretaries were eliminated. – *Answer* – Mr. Gindlesperger had a full-time job and worked 80 to 90 hours per week --he would be unable to do that.

➤ The Sewer Department did not have any employees and the sewer work was being done by Township workers. Was this correct? How many employees did the Sewer Department have and how many employees the Township have? - *Answer* – The Supervisors stated that the Sewer Department had three full-time employees (two secretaries, and one laborer) who only did work pertaining to the Sewer Department, and the Township had five full-time road crew workers, and two full-time secretaries who only did Township work – there was no duplication of services.

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➤ How many residents were not tapped into the sewer system as yet? A request was made for a review of businesses or buildings that had not paid their tap fees, and a review to see if those businesses or buildings that paid should have paid for possibly two or three taps. – *Answer* – The Supervisors stated they would do a review and have an answer by next meeting.

➤ Who did the hiring and firing? – *Answer* – The three Supervisors.

➤ Someone suggested residents install a water-conserving toilet. Information on this toilet could be gotten at [www.caroma.com](http://www.caroma.com).

➤ A resident stated that last winter the water lines under his trailer broke and it cost him \$467.00 for water and sewer (3/4 was sewer)—why was he charged for sewage for water that ran down the road? – *Answer* – Solicitor Beener stated he should ask the water authority to supply to the Township an estimate on the amount of water that was lost so that this could be reviewed in regard to his sewage bill.

➤ Another person complained about being charged for sewage when he filled his swimming pool—there was a problem and he had to refill it. He had requested the water authority come read his meter and they would not, and he was charged double. He said he knew about installing a reverse discharge meter for swimming pools, and he would buy it, but he wanted to know more about it. – *Answer* – Solicitor Beener noted that it was this way everywhere.

➤ Would it be possible for the Township to send out notifications to the residents regarding the things the Supervisors could change to make this different for all of them?

➤ Did they all come to the meeting tonight to voice their concerns, and was nothing going to be changed? – *Answer* – The Supervisors said everything everyone said would be taken into consideration, they would take a look at the budget, and they would have a statement on this at the next meeting.

➤ What was going to be done about the sewer rate increase being billed before it went into effect? – *Answer* – Solicitor Beener stated he had a copy of a sewer bill and this matter would be looked into.

➤ How could the sewer bill could be higher than the water bill? – *Answer* – The sewer rates were higher.

### **FLOOR OPENED TO PUBLIC COMMENT:**

**Joyce Graham** of Lost Valley Road stated that Chief Jackson was present at the last Supervisors' meeting to answer questions about the K-9's. She did research on how long it took to have a police dog certified and put into service. Johnstown informed her it took 6 to 8 weeks, and the Township's dogs were in their 12<sup>th</sup> week. She wanted to know when the taxpayers were going to receive the services from these dogs. Ms. Graham indicated that the dogs only did two training classes in June, noting that Chief Jackson and Tom Holland never attended anymore classes with the dogs. She said these dogs were not certified and were a major liability to the Township. Ms. Graham further stated that Mr. Holland drove around with his dog in the back of his pickup truck; he could not remember the commands for the dog since it only understood German, and the dog did not obey simple commands.

Ms. Graham wanted to know why the Chief was not here tonight. She was informed that he was requested to be at the last meeting, but not this meeting. Ms. Graham stated that Chief Jackson had said the police dog food was donated by Petco. She talked to Petco and found out this was not true.

Ms. Graham further stated that the K-9 Durango units were not properly equipped for K-9 dogs—there were no heat indicators, no kennels, and no remote door openers. She reminded the

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Supervisors that she was a dog activist. Ms. Graham noted that there were people who would take over the Chief's dog, but not Mr. Holland's dog.

The Supervisors said they would address Ms. Graham's comments at the next Supervisors' meeting.

### **MINUTES:**

There was a motion by Mr. Kauffman, seconded by Mr. Hart, to accept the minutes of the regular meeting of July 18, 2007. 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 August 2007 in the amount of \$74,347.36 for the General Fund, \$10,763.15 for the Liquid Fuels Fund, and \$35,999.26 for the Sewer Fund. Roll call vote: Mr. Hart – yes, Mr. Kauffman – yes, and Mr. Gindlesperger – yes. Motion carried unanimously.

### **POLICE REPORTS:**

The police reports as submitted by Chief Howard Jackson for the month of July 2007 for Conemaugh Township and Benson Borough were read. There was a motion by Mr. Kauffman, seconded by Mr. Hart, to accept the police reports as read for the month of July 2007. Roll call vote: Mr. Kauffman – yes, Mr. Hart – yes, and Mr. Gindlesperger – yes. Motion carried unanimously.

**At this point, the Supervisors took a five minute break in order for Chairman Gindlesperger to answer a telephone call.**

### **PERSONS TO BE HEARD:**

**Joe Stevens** of 126 Stevens Lane wished to have the minutes of June 20, 2007 corrected to state “the people had the right to know” instead of “the people did not have the right to know”, indicating that if that was how he said it, he meant to say it as he stated above.

Mr. Stevens wanted a review of the business buildings tapped into the sewer system and the name of the buildings.

Mr. Stevens wanted to know what happened to the three rollers owned by the Township. He wanted to know more about the theft of money from a locker in the Township building. He wanted to know if this money was from the sale of scrape picked up during clean up days in the Township. Mr. Kauffman answered that no scrap metal had been picked up during clean up days. Mr. Stevens asked if the missing rollers could have anything to do with the money allegedly put into a safe in the maintenance building, and was there a theft of that money. If this money was the result of the sale of roller that was taken out of the Township and sold for scrap metal, then who took it, who was paid for it, was the amount received \$1,200.00, and was the theft of this money reported. He wanted to know why this money was not placed in a safe.

**At this time, Chairman Gindlesperger left at 8:24 p.m.**

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Mr. Hart informed Mr. Stevens there had been a 1960 Gallion two-wheel roller that had not been running and it was taken to Kantner Steel for scrap for approximately \$1,100.00, which was deposited into General Fund. Mr. Stevens wanted to know who the check was made out to, why the money was placed into a locker, if this was done, who handled the money, and why was it not advertised according to the Township Code for disposal of equipment. Mr. Hart stated he would find out who the check was made out to, further noting that there was no theft, so there was nothing to report—it would show up on a deposit slip. Mr. Stevens said he would accept his word.

Mr. Stevens indicated that he was on the verge of asking for Mr. Gindlesperger's and Mr. Hart's resignations because they had lied to him in the past, and they had been dishonest. He was tired of people being dishonest with the taxpayers' money.

**John Lawhead** of 298 Rod & Gun Club Road reported to the Supervisors that after the July 18<sup>th</sup> meeting he spoke with Mr. Lampel of the Tire Hill Rod & Gun Club asking the club to install a barrier to stop the gun noise. The Club had asked if Mr. Lawhead was going to pay for the barrier – they would not pay for it. They had told him they would put it on their agenda, but he had not heard from them since. Mr. Lawhead wanted to know if the Township was going to address this problem; the Township was responsible for the safety of its residents. Solicitor Beener informed Mr. Lawhead he would review the Township's nuisance ordinance, but other than that there was nothing else the Township could do, unless the Supervisors wanted to reverse their decision on adopting a noise ordinance. Solicitor Beener further suggested Mr. Lawhead pursue this as a civil matter.

**George Knapp** of Benson Borough wanted to know why when the Supervisors raised the sewer rates did they also reduce the usage gallons from 1,000 to 800 - it was not fair. Mr. Hart answered that the numbers were worked to come up with enough money to balance the Sewer Department's budget. Mr. Kalp noted that he had provided the Supervisors with a spreadsheet in to which they were to plug numbers to produce the necessary figures for the rate increase. Mr. Knapp wanted to know what retirees were to do since they were on fixed incomes; he felt a lot would have their sewer and water disconnected because they would not be able to afford it. Mr. Knapp reiterated that Benson Borough did not receive any benefits from Conemaugh Township in any way, but they were being penalized because the money was being used where it was not supposed to be. Solicitor Beener once again stated that was not true, the funds were not going back and forth between the Sewer Fund and the General Fund.

**John Mastillo** of Jerome was concerned about what it was costing the Township to provide police services to Stoystown, Quemahoning, Shade, and Benson. He said it was costing Township residents \$70.31 per capita per year for police services while Stoystown residents were paying \$15.29 per capita per year, Quemahoning residents were paying \$5.00 per capita per year, Shade residents were paying \$5.00 per capita per year, and Benson residents were paying \$37.41 per capita per year to the Township for police services provided. Mr. Mastillo wanted to know why the Township was selling its police services so inexpensively; noting the Township taxpayers were paying for the other municipalities, and by selling these services so cheaply, the police budget would be in a \$172,953.60 deficit.

Solicitor Beener informed Mr. Mastillo that the police services agreements were not based on per

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capita, they were hourly rates related to different patrol times. He noted if the police services provided were 24/7, then Mr. Mastillo would be accurate. The Township residents received full-time police services, and the other municipalities received part-time police services. Mr. Mastillo felt that the cost of the police pension plan, the travel costs, social security costs, liability increases needed to be taken into consideration regarding the total cost involved. Solicitor Beener reiterated that Conemaugh Township was receiving full-time police service and the others were only part-time—everything was taken into consideration for the police services agreements with these other municipalities. Mr. Mastillo noted that more time would be spent at these other municipalities if there would be major things occurring in those areas.

Mr. Mastillo also felt it was a shame that the police department had a handler that did not know the commands for the police dog. Mr. Mastillo thought the Supervisors were not made to be Supervisors and should decide to get another occupation.

**Maretta Thomas** manager of the Senior Center stated the Center was inspected in June by the State and certain upgrades were required, one being a new dishwasher. She asked if the Supervisors could assist with the purchase of a new commercial dishwasher for the Senior Center at a cost of \$4,100.00. The Supervisors would look into this request.

Mrs. Thomas also suggested to those in attendance that they come to the Senior Center to apply for aid, rebates, and refunds.

**Dave Patterson** stated that he was the one who presented the sewer bill with the wrong rates earlier in the meeting. He said that everyone was going to cut consumption in order to reduce their sewer bill which would cause a revenue shortage for the Sewer Department. Solicitor Beener said the budgets were done annually and the Sewer Department's budget would be reviewed again later this year.

### **CORRESPONDENCE:**

A letter dated July 25, 2007 was received from Earl Birch stating he was resigning from the Conemaugh Township Planning Commission due to his work schedule. There was a motion by Mr. Kauffman, seconded by Mr. Hart, to accept the resignation of Earl Birch from the Conemaugh Township Planning Commission. Roll call vote: Mr. Kauffman – yes, Mr. Hart – yes, and Mr. Gindlesperger – absent. Motion carried, one absent.

### **OLD BUSINESS:**

None.

### **NEW BUSINESS:**

1. **INSTALLATION OF STREET LIGHT – WESTERN AVENUE:** Approval to install this light was received from Penelec. There was a motion by Mr. Hart, seconded by Mr. Kauffman, to approve the installation of a street light along the 200 block of Western Avenue. Roll call vote: Mr. Hart – yes, Mr. Kauffman – yes, and Mr. Gindlesperger – absent. Motion carried, one absent.

2. **OPEN BIDS FOR SALE OF USED POLICE PISTOLS & RIFLES:** No bids were received. This would be re-advertised. It was noted that the advertisement for bids was placed in the Daily American.

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### 3. **APPOINTMENT TO CONEMAUGH TWP. PLANNING COMMISSION BOARD:**

There was motion by Mr. Hart, seconded by Mr. Kauffman, to appoint Thomas Buzzard to the Conemaugh Township Planning Commission Board. Roll call vote: Mr. Hart – yes, Mr. Kauffman – yes, and Mr. Gindlesperger – absent. Motion carried, one absent.

4. **LAND DEVELOPMENT:** The Conemaugh Township Planning Commission approved this land development on August 14, 2007. There was a motion by Mr. Kauffman, seconded by Mr. Hart, to approve the land development for Terry F. Jr. & Kimberly S. Croyle, owner and applicant, to add two 55' x 100' storage buildings to the Davidsville Storage site at 2700 Carpenters Park Road, including a stormwater management structure. Roll call vote: Mr. Kauffman – yes, Mr. Hart – yes, and Mr. Gindlesperger – absent. Motion carried, one absent.

5. **MINOR SUBDIVISION:** The Conemaugh Township Planning Commission approved and signed this Plan on August 14, 2007. There was a motion by Mr. Kauffman, seconded by Mr. Hart, to approve the subdivision plan for Matt R. & Kristi L. Brubaker, owner and applicant, to create Lot 2 containing approximately 0.76 acres from the parent parcel S12-006-165-01 containing approximately 7.61 acres with a residue of approximately 6.85 acres. Roll call vote: Mr. Kauffman – yes, Mr. Hart – yes, and Mr. Gindlesperger – absent. Motion carried, one absent.

6. **MINOR SUBDIVISION REVISION:** The Conemaugh Township Planning Commission approved and signed this Plan Revision on August 14, 2007. There was a motion by Mr. Hart, seconded by Mr. Kauffman, to approve the subdivision revision plan for Matthew R. Leathery, owner, and Stephen J. Verotsky, applicant, to create a new parcel containing approximately 1.973 acres from the parent parcel S12-003-051-00, owned by Matthew R. Leathery, containing approximately 173.243 acres with a residue of approximately 171.27 +/- acres; new parcel to be merged with adjoining parcel S12-092-011-00, owned by applicant Stephen J. Verotsky, thus increasing the size of parcel S12-092-011-00 to approximately 2.481 acres. Roll call vote: Mr. Hart – yes, Mr. Kauffman – yes, and Mr. Gindlesperger – absent. Motion carried, one absent.

7. **MINOR SUBDIVISION:** The Conemaugh Township Planning Commission approved this Plan on August 14, 2007, contingent upon receipt of favorable comment from the Somerset County Planning Commission, and execution of the final subdivision documents. There was a motion by Mr. Hart, seconded by Mr. Kauffman, to approve the subdivision plan for Berwind Corporation, owner and applicant, to create Lot 2 containing approximately 6.39 acres from the parent parcel S12-006-046-00 containing approximately 64.08 acres with a residue of approximately 57.69 acres, contingent upon receipt of favorable comment from the Somerset County Planning Commission, and execution of the final subdivision documents. Roll call vote: Mr. Hart – yes, Mr. Kauffman – yes, and Mr. Gindlesperger – absent. Motion carried, one absent.

### **UPDATE SEWER PROJECTS:**

1. **TIRE HILL SEWER PROJECT:** Josh Kalp of The EADS Group reported that the contractors had been notified about warranty work, and the PENNVEST final payment for this project had been received. There will be a total of 386 new connections to the sewer system, but at present 318 were connected and passed, and 68 failed or were not connected as yet.

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Mr. Kalp also reported that the contract for the Greenhouse Park Whitewater Project was awarded to Kukurin Contracting, Inc. at the June 20, 2007 Township meeting in the amount of \$488,488.00. The rocks had been delivered to Greenhouse Park for installation. The pre-construction job conference was held on August 7, 2007 and the contractor anticipates starting construction during this week.

2. **PHASE II-BENSCREEK SEWER PROJECT:** Mr. Kalp reported that the PENNVEST Funding Application for this project was revised and submitted at the end of last week. The Township would find out if the application was approved on October 23, 2007.

### **ITEMS FOR DISCUSSION:**

Solicitor Beener reported that the Township had submitted a bid for a tax claim parcel to improve the sanitary sewer service in the Maple Ridge area. The Township's bid was successful and the deed would be delivered within the next couple of days. The adjustment would involve ten houses that would benefit from this.

Solicitor Beener stated that he had three items for the Special Meeting on September 4, 2007: Financing bids for the new police cruisers, an ordinance imposing municipal liens for non-payment of sewer charges, and an ordinance to reduce the Planning Commission members from nine members to seven due to resignations and difficulty in getting people to serve on this Board.

At this point, Mr. Stevens asked Mr. Kauffman if a new attorney had been appointed to handle his sewer matter. Solicitor Beener indicated that he had recommended to the Supervisors who should be retained. Mr. Stevens informed Solicitor Beener he was out of this matter, and Solicitor Beener stated he was not disputing that, he was the Township Solicitor and had made a recommendation to the Supervisors. He said Mr. Stevens would be informed of who the attorney was after that attorney was retained.

### **ANNOUNCEMENTS:**

1. There will be a special meeting of the Township Supervisors on September 4, 2007 to open bids for financing of police cruisers.
2. The next regularly scheduled meeting of the Township Supervisors will be held on Wednesday, September 19, 2007 at 7:00 p.m.

### **ADJOURNMENT:**

There was a motion by Mr. Hart, seconded by Mr. Kauffman, to adjourn the meeting at 8:55 p.m.

Submitted by,

David A. Hart, Secretary/Treasurer