

MINUTES OF REGULAR MEETING OF JANUARY 17, 2007

The regular meeting of the Conemaugh Township Board of Supervisors was called to order at 7:04 p.m. on January 17, 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.

FLOOR OPENED TO PUBLIC COMMENT:

Ronna Marisa of 183 Marisa Lane stated she checked on the Besyk dog kennel variance appeal case at the Prothonotary's Office last week and nothing had been filed since December 16, 2005. She wanted to know if the Township was going to pursue this matter. Solicitor Beener stated he had spoken with the Marisa attorney who had advised him the other Marisa appeal that was pending had been dismissed. He further indicated that he had submitted the request for signature **MINUTES OF JANUARY 17, 2007 MEETING CONTINUED.**

on the agreed upon stipulations three times to the Besyk attorney. Solicitor Beener stated if it did not come back signed, the Township would have to go back to court again. Mrs. Marisa wanted to know how long he would wait. Solicitor Beener said until Monday. Mrs. Marisa also noted that in June of 2005, the Township filed a civil assessment against the Besyks for over \$70,000, and she wanted to know if anything had been done about that. Solicitor Beener answered he did not know -- he would have to check, but he did remember that being done. Mrs. Marisa was concerned the Besyks ignored everything and no one followed through with them. Solicitor Beener disagreed with her because he had done all the work on this. He was to court on this before, and he submitted requests before, with no response. He stated he spoke with the Marisa attorney again, before she had met with him last week, and had discussed what the possibilities were; and their attorney had also brought him up to date on the Marisa's other case, which had been continued. Beener had spoken to the judge on that case. Solicitor Beener said these were the facts, and if the signed documents were not returned by Monday, he would just proceed without them.

Lou Huber of Soap Hollow Road asked if the Supervisors had submitted another letter to Penn Dot requesting something be done about the hazardous shoulder condition along Soap Hollow Road. Mr. Hart answered, yes, and gave Mr. Huber a copy of that letter. He further informed Mr. Huber that there would be a meeting this Friday between 8:00 a.m. and 9:00 a.m. at the site to review the matter.

David Hoffman of 117 Cambridge Drive wanted to know if Laurel View Village was going to repair the damage they had done to Cambridge Drive, asking if they had a road bond. Mr. Hart answered that they did not have a road bond. Mr. Hoffman wanted to know if they were going to be responsible to repair the damages. Mr. Hart stated the Supervisors were aware of the situation.

Mr. Hoffman also asked if the Township could get some recycling bins. Mr. Hart noted he had spoken to Richland Township who was a Class I Township and mandated to recycle. They spend about \$36,000 per year to recycle, and recoup about \$30,000, costing their township about \$6,000 per year. Mr. Hart said in order for Conemaugh Township to do recycling, the landfill would have to agree to do it, and indicated it would cost the Township considerably more than

\$6,000 a year to do. Mr. Hoffman requested that there be drop off spots. Mr. Hart stated he would ask the landfill about this, but there had been recycling bins at the Township building in the past for glass, aluminum, and paper. People had put garbage in those bins, which contaminated the recyclables, and it all had to be taken to the landfill.

Mr. Hoffman wanted to know what could be done about a junk car located on the Rainey property across from Todd Berkebile's property, which has been there for years. Mr. Hart informed Mr. Hoffman that the police work off of complaints, and he should call and complain to them – they enforce the Township's junk ordinance.

MINUTES:

There was a motion by Mr. Hart, seconded by Mr. Kauffman, to accept the minutes of the reorganization meeting and special meeting of January 2, 2007. Roll call vote: Mr. Hart – yes, Mr. Kauffman – yes, and Mr. Gindlesperger – yes. Motion carried unanimously.

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BILLS:

There was a motion by Mr. Kauffman, seconded by Mr. Hart, to pay the bills for the month of January 2007 in the amount of \$68,975.03 for the General Fund, \$6,113.46 for the Liquid Fuels Fund, and \$32,419.39 for the Sewer Fund. Roll call vote: Mr. Kauffman – yes, Mr. Hart – yes, and Mr. Gindlesperger – yes. Motion carried unanimously.

POLICE REPORTS:

There were no police reports submitted.

PERSONS TO BE HEARD:

None.

CORRESPONDENCE:

None.

OLD BUSINESS:

None.

NEW BUSINESS:

1. **MAJOR SUBDIVISION – FINAL PLAN SUBMISSION:** The performance bond was received, and the sewer collector lines and water main installations were substantially completed for this subdivision. The Conemaugh Township Planning Commission granted contingent approval of the subdivision plan at its meeting of 1/9/07. Conditions to be satisfied are: 1) Receipt of Somerset Conservation District (SCD) approval of revised E & S Plan and issuance of NPDES permit. 2) Receipt of written proof of full mutual agreement with Supervisors as to implementation of the widening of existing Hillcrest Avenue so as to safely accommodate two-way traffic. There was a motion by Mr. Hart, seconded by Mr. Kauffman, to approve the major subdivision - final plan submission for DL Development Group, LLC, owner and applicant, to create a 10 lot residential subdivision having paved road extension of Hillcrest Avenue terminating with a cul-de-sac, all as shown on Earthtech, Inc.'s set of plans dated 12/15/06,

contingent upon the above-listed conditions (items #1 & #2). Roll call vote: Mr. Hart – yes, Mr. Kauffman – yes, and Mr. Gindlesperger – yes. Motion carried unanimously.

2. **TESTING OF EXISTING SANITARY SEWER SYSTEM:** Mr. Hart explained that the testing was needed in order to upgrade the sewer systems of Jerome, Benson, Davidsville, and Hollsopple areas (does not include the trailer court, which was private property). He had a proposal from The EADS Group. Mr. Hart stated Community Development Block Grant monies were available from the Somerset County Redevelopment Authority to do this, but it would need to be bid first. There would be no cost to the Township or residents. There was a motion by Mr. Hart, seconded by Mr. Kauffman, to approve bidding for smoke and dye testing for the existing sanitary sewer system as specified by The EADS Group. Roll call vote: Mr. Hart – yes, Mr. Kauffman – yes, and Mr. Gindlesperger – yes. Motion carried unanimously.

TIRE HILL SEWER PROJECT:

1. **FINAL PENNVEST PAY REQUEST # 22:** There was a motion Mr. Hart, seconded by Mr. Kauffman, to approve the Final PENNVEST Pay Request #22 in the amount of \$28,745.74, as presented. (This also includes \$49,555.95 contributed to the local share required.) Mr. Hart asked Josh Kalp of The EADS Group if a final walk through had been scheduled yet. Mr. Kalp **MINUTES OF JANUARY 17, 2007 MEETING CONTINUED.**

stated, no, he would go over this in his report. Roll call vote: Mr. Hart – yes, Mr. Kauffman – yes, and Mr. Gindlesperger – yes. Motion carried unanimously.

2. **UPDATE SEWER PROJECT:** Josh Kalp of The EADS Group reported that all contracts were complete on the Phase I Project. As of January 12, 2007 there were 321 customers connected (286 complete, 26 partial, and 9 failures). There would be a total of 385 new customer connections to the system by the Phase I Project. The EADS Group sent a letter to DEP requesting a final inspection. They sent a letter back requesting additional information, and after receipt of that information, DEP would schedule the walk-through. The Phase II Project, Part II Permit for construction of the sewer lines should be here soon. Rights-of-way were still being obtained. Chairman Gindlesperger asked for a percentage on the rights-of-way. Solicitor Beener stated there were approximately 50% correct (200), and there were another 100 that had some small issues that would be solved.

Josh further reported that The EADS Group followed-up on the Hillside Drive Bridge and were very concerned about the structural integrity of the bridge. Mr. Hart stated he had ordered the beams to repair this bridge today. Mr. Hart further indicated that the Jerome walking bridge that was in hazardous condition was closed right after the last meeting when the complaint was received, and The EADS Group would be doing the design for this bridge.

The Supervisors went into an executive session at 7:21 p.m. to discuss a personnel matter. They returned at 7:32 p.m.

ITEMS FOR DISCUSSION:

Solicitor Beener requested the Supervisors to approve the advertisement of an amendment to the Township's zoning map to adopt a Neighborhood Commercial Zoning District, which would be in the northern part of the Village of Tire Hill. He stated this would need to be advertised for a public hearing and for the next available action of the Supervisors. There was a motion by Mr. Kauffman, seconded by Mr. Hart, to approve the advertisement of an amendment to the Township Zoning Map to adopt a Neighborhood Commercial Zoning District. Roll call vote: Mr. Kauffman – yes, Mr. Hart – yes, and Mr. Gindlesperger – yes. Motion carried unanimously.

ANNOUNCEMENTS:

1. The next regularly scheduled meeting of the Township Supervisors would be held on Wednesday, February 21, 2007 at 7:00 p.m.

ADJOURNMENT:

There was a motion by Mr. Hart, seconded by Mr. Kauffman, to adjourn the meeting at 7:40 p.m.

Submitted by,

David A. Hart, Secretary/Treasurer