

MINUTES OF REGULAR MEETING OF OCTOBER 15, 2008

The regular meeting of the Conemaugh Township Board of Supervisors was called to order at 7:00 p.m. on October 15, 2008 by Chairman Steven Buncich. Board members present were Steven Buncich, Chairman, Wayne Kauffman, Vice-Chairman, and Albert Zuccolotto, Assistant Secretary/Treasurer. Solicitor William Barbin was present.

Pledge to the Flag.

FLOOR OPENED TO PUBLIC COMMENT:

Rich Maldet of 256 Fernwood requested an update on the sewer project. He was told this would be given with the Engineers Report at the end of the meeting.

Elsie Turous of 846 Tire Hill Road stated that she had been waiting since February or March of this year to have something done about her sewer bill and nothing had been done yet. She stated that Mr. Gindlesperger had told her that the Township would try to lower her bill since she did not use Township water; she had a well and did not use much water. Mrs. Turous stated she was being charged a monthly \$4.50 late fee, which she was not going to pay. She further stated that she had been threatened that her sewer would be shut off. Solicitor Barbin stated that the Township could not shut off well water, but a lien could be placed on her property for the unpaid sewer bills. He further informed her that there was no basis to provide for special lower bills just because someone used only a little water, and Mr. Gindlesperger was wrong in telling her that, noting that he was only one Supervisor. Solicitor Barbin told Mrs. Turous that she had the right to have a meter installed and pay based on consumption.

Mrs. Turous stated that all the sewer lines for the past sewer project were on her property and she was not compensated for it. Solicitor Barbin stated that if the Township compensated everyone in the Township for the sewer lines, the sewer bills would go up to \$100.00 a month. Mrs. Turous said she was going to talk to her attorney about this, but noted if she did pay her sewer bills, she would not pay the late fees because this matter was to have been fixed since March. Solicitor Barbin reiterated that she could not be charged a separate fee from anyone else.

Mrs. Turous also noted that her yard was still not repaired from the past sewer project.

NOTIFICATION OF EXECUTIVE SESSION:

None.

MINUTES:

There was a motion by Mr. Zuccolotto, seconded by Mr. Kauffman, to accept the minutes of the regular meeting of September 17, 2008. Roll call vote: Mr. Zuccolotto – yes, Mr. Kauffman – yes, and Mr. Buncich – yes. Motion carried unanimously.

BILLS:

There was a motion by Mr. Kauffman, seconded by Mr. Zuccolotto, to pay the bills for the month of October 2008 in the amount of \$47,049.47 for the General Fund, \$6,531.31 for the Liquid Fuels Fund, and \$36,310.08 for the Sewer Fund. Roll call vote: Mr. Kauffman – yes, Mr. Zuccolotto – yes, and Mr. Buncich – yes. Motion carried unanimously.

MINUTES OF OCTOBER 15, 2008 MEETING CONTINUED.

POLICE REPORTS:

The police report as submitted by Chief Louis Barclay for the month of September 2008 for the Conemaugh Township Police Department was available for review. Total reported incidents/complaints were 202; 160 of those were generated by 911. There was a motion by Mr. Kauffman, seconded by Mr. Zuccolotto, to accept the police report as submitted for the month of August 2008. Roll call vote: Mr. Kauffman – yes, Mr. Zuccolotto – yes, and Mr. Buncich – yes. Motion carried unanimously.

PERSONS TO BE HEARD:

None.

CORRESPONDENCE:

1. Correspondence was received from Mr. and Mrs. Ralph Young requesting a letter from the Township stating they had permission to tap into the Upper Yoder sewer system. Chairman Buncich explained that the Youngs lived on Franklin Street which was accessible to both the Conemaugh Township and Upper Yoder sewer systems. There was a motion by Mr. Zuccolotto, seconded by Mr. Kauffman, to permit Mr. and Mrs. Ralph Young to tap into the Upper Yoder sewer system, if they so desire. Roll call vote: Mr. Zuccolotto – yes, Mr. Kauffman – yes, and Mr. Buncich – yes. Motion carried unanimously.

2. A letter was received from the Conemaugh Township Youth Softball League requesting a separate or dual lease of the Hollsopple Ball Field for girls' softball for the 2009 season. Chairman Buncich stated that this request was so that the girls' softball league could share the Hollsopple Ball Field with the Youth Baseball League who currently leased the field from the Township. There was a motion by Mr. Zuccolotto, seconded by Mr. Kauffman, to table this request for further review. Roll call vote: Mr. Zuccolotto – yes, Mr. Kauffman – yes, and Mr. Buncich – yes. Motion carried unanimously.

3. A letter was received from the Cambria Somerset Authority requesting No Parking along Quemahoning Dam Road; Special designation of the single lane bridge across Shank Run; and police patrols in the parking lot at the Quemahoning family park. Mr. Kauffman stated that the police do patrol that area, and a sign could be put up noting the single lane bridge, but he did not agree with No Parking signs along Quemahoning Dam Road. There was a motion by Mr. Zuccolotto, seconded by Mr. Kauffman, to table this request for further review. Roll call vote: Mr. Zuccolotto – yes, Mr. Kauffman – yes, and Mr. Buncich – yes. Motion carried unanimously.

OLD BUSINESS:

None.

NEW BUSINESS:

1. **PENSION PLAN MUNICIPAL OBLIGATION – STATE AID DEPOSIT:** There was a motion by Mr. Zuccolotto, seconded by Mr. Kauffman, to ratify the September 29, 2008 deposit of the 2008 State Aid funds received in the amount of \$26,256.15 into the Non-Uniform Pension Plan with Mass Mutual Retirement Services, which represents more than the minimum municipal obligation due to the Plan for the year 2008. (The Police Pension Plan is currently overfunded. Roll call vote: Mr. Zuccolotto – yes, Mr. Kauffman – yes, and Mr. Buncich – yes. Motion carried unanimously.

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2. **FOREIGN FIRE RELIEF FUND DISTRIBUTION:** Mr. Zuccolotto asked Ms. Walerysiak if the Township ever changed this distribution, noting that at one time there was an argument that the Hollsopple Fire Company also received Fire Relief Funds from Hooversville and Paint Township which they did not split with the other fire companies, and therefore, the Conemaugh Township's distribution of Relief money should have been reduced to the Hollsopple Fire Company. Ms. Walerysiak answered, no; all the fire companies received 25%. There was a motion by Mr. Kauffman, seconded by Mr. Zuccolotto, to ratify the September 29, 2008 distribution of the 2008 Foreign Fire Relief Funds in the amount of \$41,963.28 as follows: Krings Volunteer Firemen Relief Association (CT Fire Co.) - \$10,490.82; Ideal Volunteer Fire Company Firemen's Relief Association - \$10,490.28; Jerome Volunteer Firemen's Relief Association - \$10,490.28; and Community Volunteer Fire Company of Hollsopple Relief Association - \$10,490.28. Roll call vote: Mr. Kauffman – yes, Mr. Zuccolotto – yes, and Mr. Buncich – yes. Motion carried unanimously.

3. **PURCHASE OF HEATING OIL & EXTRA PETROLEUM PRODUCTS:** Chairman Buncich stated that the Township did bid out the fuel used for Township vehicles, but the Supervisors would like to have some fuel on hand at the Township building for the off road equipment so they did not need to be taken to the fueling area in Benscreek. Solicitor Barbin noted that the Township would still have to follow the State rules on having quotes on purchases costing from \$4,000 to \$10,000. There was a motion by Mr. Zuccolotto, seconded by Mr. Kauffman, to authorize the purchase of heating oil for the Township buildings and extra petroleum products as-needed, not to exceed \$10,000 and to obtain three telephone quotes. Roll call vote: Mr. Zuccolotto – yes, Mr. Kauffman – yes, and Mr. Buncich – yes. Motion carried unanimously.

4. **APPOINTMENT OF DYE TESTING COMPLIANCE OFFICER:** Chairman Buncich stated that a Compliance Officer was needed to observe the dye testing for the Township Sewer Department. It had been suggested to appoint Randy Younkin to this position, who was currently the Township's Sewage Enforcement Officer. Mr. Zuccolotto asked how he would get paid for this. Mr. Buncich answered that Mr. Younkin set his own fee, which would be \$25.00 per test and the customer paid that directly to him. Mr. Zuccolotto asked if he had to be certified. The answer was, no. Solicitor Barbin stated that he would just be observing and reporting the test, the contractor would actually perform the test. Mr. Zuccolotto felt if that was the case, his opinion would be that the Township should use Sewer Department employee, Aaron Kerr, and have the fees collected come to the Township. There was a motion by Mr. Zuccolotto, seconded by Mr. Kauffman, to appoint Aaron Kerr as the Compliance Officer to observe dye testing for the Township Sewer Department and any fees collected would come to the Township. Roll call vote: Mr. Zuccolotto – yes, Mr. Kauffman – yes, and Mr. Buncich – no. Motion carried; two yes, one no.

ITEMS FOR DISCUSSION:

1. Naming of road in Bloomfield Heights Development - Chairman Buncich explained that a development went in and a road did not connect to the road it was named, which caused conflict with 911 Addressing. The developer will submit three names to the Supervisors to see if there were any duplications of those names in the Township; if not, the names would then be submitted to 911 Addressing for their approval.

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ENGINEERS REPORT:

Josh Kalp of the EADS Group reported that all permits had been received for the Phase II Benscreek Sewer Project with the exception of the Conemaugh Township building permits, (Mark Walker the Township Permit Officer was currently working on that) and the Penn DOT Highway Occupancy Permits (the contractor was currently obtaining the bonds required for that permit). Mr. Kalp stated that EADS had been receiving numerous telephone calls from property owners regarding rights-of-way for this Project. The PENNVEST loan closing was tentatively scheduled for November 18, 2008 and EADS was working to get all documentation in placed to close this loan on the 18th so construction could start the beginning of December 2008.

At this point, Chairman Buncich asked if there was anyone else who would like to speak:

It was asked if the Supervisors knew what the tap-in fee was going to be. Chairman Buncich stated the tap-in fee would be estimated between \$1,700 and \$1,900. Solicitor Barbin noted that if the Township had a substantial number of easements that could not be acquired, and a lot of money was spent fighting condemnations, the tap-in fee may have to be raised since there was no money in the budget providing for that.

It was asked if there was a projected completion date for the Benscreek Sewer Project. Tom Reilly of EADS stated there was a 365 day completion time on the contract. Solicitor Barbin noted that in the worst case, the Project may not start until spring 2009, indicating that there were approximately 200 easements needed yet. It was asked if those unsigned easements were public knowledge and could it be published in the newspaper. Solicitor Barbin answered that it was public record, but felt it was not really appropriate for the Township to publish it.

Elsie Turous stated that she agreed with the sewers, but did not agree with raising her sewer bill almost double when she was on a fixed income and did not use Township water; she had a well and did not use much water since she lived by herself. Solicitor Barbin explained to her that there was a minimum sewer bill for everyone, there was an average bill for those people who do not report how many gallons they use, and people who go above the minimum amount and have readings all pay based on consumption. It was noted that Mrs. Turous could have a meter installed and she could then pay based on consumption, but she would have to pay for that installation. Mrs. Turous wanted to know how Pine Crest Estates got away with not paying for so long. Solicitor Barbin stated the Township had to sue him, but this sewer project loan had to get taken care of first by November 18th

Mrs. Turous said she would pay her sewer bills, but she wanted to talk to her attorney first, indicating that she had been waiting for an adjusted bill since February or March of this year because she had been told the rate would be adjusted for her. She was upset that she was being charged late fees of \$4.50 per bill, which she was refusing to pay. There was discussion on forgiving the late fees since she had been misled.

Peggy McClain of Frosty Lane wanted to know how those people in her area who were on Johnstown water would be billed. Chairman Buncich stated this had already been discussed with Johnstown and readings would be given to the Township from Johnstown for the sewer bills.

Ginger Graham asked what to do about dilapidated houses. Chairman Buncich told her to report them in writing to the Township Office and the Office would forward the information on to Mark Walker, Zoning Officer, who would go look at the property and send letters to the

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owners. He noted that the Township has a few that had gone to the magistrate level.

It was asked if there would still be a \$1,500.00 tap-in fee if the fee was paid early. Chairman Buncich stated the Supervisors would try to come up with a discounted rate for early payment, but it would depend on the easements. He further stated that the Supervisors were working with the Somerset County Redevelopment Authority for low to moderate income homes in the Project area to receive assistance with sewer lateral installations.

ANNOUNCEMENTS:

1. The next regularly scheduled meeting of the Township Supervisors will be held on Wednesday, November 19, 2008 at 7:00 p.m.

ADJOURNMENT:

There was a motion by Mr. Zuccolotto, seconded by Mr. Kauffman, to adjourn the meeting at 7:36 p.m.

Submitted by,

Cindy L. Walerysiak, Secretary/Treasurer