

## MINUTES OF REGULAR MEETING OF JUNE 16, 2008

The regular meeting of the Conemaugh Township Board of Supervisors was called to order at 7:07 p.m. on June 16, 2008 by Chairman Steven Buncich. Board members present were Steven Buncich, Chairman, Wayne Kauffman, Vice-Chairman, and Albert Zuccolotto, Assistant Secretary/Treasurer. Solicitor James Beener was present.

Pledge to the Flag.

### FLOOR OPENED TO PUBLIC COMMENT:

**Rich Maldet** of Fernwood Drive asked if the Township was responsible for the fire protection at Laurel View Village. Chairman Buncich stated this could be discussed at the end of the meeting since this comment period pertained to items on the Agenda.

### MINUTES:

There was a motion by Mr. Kauffman, seconded by Mr. Zuccolotto, to accept the minutes of the regular meeting of May 21, 2008 and special meeting of June 10, 2008. Roll call vote: Mr. Kauffman – yes, Mr. Zuccolotto – 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 June 2008 in the amount of \$96,749.94 for the General Fund, \$504.24 for the Liquid Fuels Fund, and \$32,729.36 for the Sewer Fund. Roll call vote: Mr. Kauffman – yes, Mr. Zuccolotto – yes, and Mr. Buncich – yes. Motion carried unanimously.

### POLICE REPORTS:

The police report as submitted by Chief Louis Barclay for the month of May 2008 for the Conemaugh Township Police Department was available for review. Total reported incidents were 210. There was a motion by Mr. Zuccolotto, seconded by Mr. Kauffman, to accept the police report as submitted for the month of May 2008. Roll call vote: Mr. Zuccolotto – yes, Mr. Kauffman – yes, and Mr. Buncich – yes. Motion carried unanimously.

### PERSONS TO BE HEARD:

1. **Ginger Graham** of Jerome stated she had requested to speak on the Agenda prior to the fulltime officer that had been laid off being reinstated. She wanted to know if at any time would the Township need to be covered by the State Police. Ms. Graham was concerned about the time it would take the State Police to respond to a call. Mr. Zuccolotto answered, no, not at any time would the Township be without full coverage by the Township Police Department.

At this time, Mr. Zuccolotto said he wanted to set the record straight on what was going on. He felt that the Chief made it sound a whole lot difference than what it was. Mr. Zuccolotto stated that he had said he wanted to “bury himself in the books”, and he found there was overtime and comp time that was out of hand, and the police were working ten hour days. He said he talked with the Chief and Supervisors and told them he did not know what was going on here, but the Township certainly was spending a ton of money that he did not believe needed to be spent. Mr. Zuccolotto said they reviewed the police schedule and he had asked what happened to the schedule that was here when he left, noting that the police had this same problem back in 1993. He also noted that Mr. Buncich and Mr. Kauffman would not know that because they had not been involved with that, so it was easier for him to come in here and dig that out. Mr. Zuccolotto

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said the Supervisors worked together on this problem, but did not all agree.

Mr. Zuccolotto stated he “threw” a schedule at them just to “stop the bleeding” and get the coverage in the Township because he was upset when the Chief said the Township had to have State Police coverage. He said if the Chief would have implemented the schedule that was given to him, he would not have had to do that. Mr. Zuccolotto said that schedule had officers working five days on and two days off and the officers were not happy with having their ten hour shifts taken away, and they did not like having the same days off. He stated this was just to get things started and then the schedule could be “tweaked” after that.

Mr. Zuccolotto said that after this was talked about further, he had said he wanted to know where the schedule was that he had implemented 15 years ago. He said that Officer Vince Zangaglia, not the Chief, gave it to him and the first thing Vince did “in front of all of us was lay it down” and said if the officers went to that schedule, then there would be full coverage. Mr. Zuccolotto noted there would be a swing car, there would be double police on the weekends, and there would be coverage for sick and vacation days. He felt this would get the Police Department “back down to earth” and it could be “tweaked” from there.

Mr. Zuccolotto stated it was not a matter of the Chief arguing with the Supervisors to bring the one laid off fulltime officer back. He noted that without this officer, there were 32 hours extra with five fulltime officers. He further stated that if an officer took vacation, one shift overtime would have to be paid, and his theory was – which was cheaper, to pay overtime for 8 hours or to pay an officer \$41,000.00 plus benefits. Mr. Zuccolotto stated he had said that if that would become repetitious, the Supervisors would have to look at bringing that laid off fulltime officer back. He said in order to compromise and to avoid all those scenarios, the Supervisors said they would bring back the laid off fulltime officer. Mr. Zuccolotto wanted to make it clear that with this officer back, there were 72 hours extra per week now. He wanted to see what the Chief was going to do with that

Mr. Zuccolotto stated this needed to be worked through, the Township could not keep spending that kind of money, but if it would come to needing another officer, that would be done. He noted that the Supervisors did not want the Township to be covered by State Police and did not want to go without any coverage. Mr. Zuccolotto said that right now the Township was as “protected as any Township ever was in their life and as much as this Township had ever been protected”. He wanted this put straight – it was not that the Chief argued with the Supervisors that the fulltime officer be called back. Mr. Zuccolotto wanted to know why Chief Barclay did not change the police schedule when Chief Jackson was removed. He said that Chief Barclay was management and the schedule should have been changed by him immediately.

### **CORRESPONDENCE:**

1. A letter was received from the Conemaugh Township Area Historical Society thanking the Supervisors for the donation sent last month.
2. Chairman Buncich read a letter from the Office of District Attorney in reference to the State Police investigation regarding proceeds from sale of a Township roller. The letter indicated that the State Police determined that the proceeds of that sale were deposited in the Township’s General Fund account. The letter further stated that this matter was also referred to the State Ethics Commission, and it was the recommendation by both the State

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Police and the Ethics Commission that no criminal charges be filed. Chairman Buncich stated that if anyone had any questions on this to contact District Attorney Spangler.

3. A letter was received from the Somerset County Library giving an update report on the Conemaugh Township Branch of this library. Chairman Buncich noted that the Township makes yearly donations for the Township's branch.

### **OLD BUSINESS:**

None.

### **NEW BUSINESS:**

1. **PARTICIPATION AGREEMENT:** There was a motion by Mr. Zuccolotto, seconded by Mr. Kauffman, to table for further review the approval of the updated Steelworkers Health & Welfare Fund Participation Agreement, which would be effective July 1, 2008 through June 31, 2011. Roll call vote: Mr. Zuccolotto – yes, Mr. Kauffman – yes, and Mr. Buncich – yes. Motion carried unanimously.

2. **POLICE OFFICER RESIGNATION:** Chairman Buncich noted that this resignation was submitted prior to the reduction of the police force. There was a motion by Mr. Kauffman, seconded by Mr. Zuccolotto, to accept the resignation of part-time police officer Michelle Piscitella from the Conemaugh Township Police Department, effective June 2, 2008. Roll call vote: Mr. Kauffman – yes, Mr. Zuccolotto – yes, and Mr. Buncich – yes. Motion carried unanimously.

3. **POLICE SEMINAR:** There was a motion by Mr. Kauffman, seconded by Mr. Zuccolotto, to approve sending Officer Michael Popma to a Child Interview Techniques seminar presented by the Public Agency Training Council on July 14, 15 & 16, 2008 in New Cumberland, PA; registration \$275.00 and approximately \$210.00 for three nights lodging and meals. Roll call vote: Mr. Kauffman – yes, Mr. Zuccolotto – yes, and Mr. Buncich – yes. Motion carried unanimously.

4. **RESOLUTION R03-08:** Chairman Buncich explained that this was for the housing development off of Rte. 985 and they were required to submit a revision to their Sewage Facilities Planning Module with any changes. It had been reviewed by the Conemaugh Township Planning Commission. He noted that it was up to DEP to accept or deny this revision. Chairman Buncich also stated that this development planned to hook into the Township's new sewer lines in that area once the sewer project was completed. There was a motion by Mr. Kauffman, seconded by Mr. Zuccolotto, to adopt Resolution R03-08 authorizing the submission to the Department of Environmental Protection for its approval a revision to the "Official Sewage Facilities Plan" of Scott Watson for the Watberk Subdivision. Roll call vote: Mr. Kauffman – yes, Mr. Zuccolotto – yes, and Mr. Buncich – yes. Motion carried unanimously.

5. **MINOR SUBDIVISION:** This subdivision plan was approved by the Conemaugh Township Planning Commission on June 4, 2008 pending receipt of favorable comment from the Somerset County Planning Commission, and DEP acceptance of the Sewage Facilities Planning Module Exemption request. Favorable comment was received from the Somerset County Planning Commission. There was a motion by Mr. Kauffman, seconded by Mr. Zuccolotto, to approve the subdivision plan of Mary Jane & Kenneth G. Kozak., owners and applicants, to subdivide 0.87 acre (Lot 4) from the existing 1.37 acre Kozak property with the new Lot 4

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containing a 0.05 acre easement for access to an adjacent property, and the residual tract (Lot 1) retaining 0.5 acre; all lands being owned by Mr. & Mrs. Kozak; pending DEP acceptance of the Sewage Facilities Planning Module Exemption request. Roll call vote: Mr. Kauffman – yes, Mr. Zuccolotto – yes, and Mr. Buncich – yes. Motion carried unanimously.

6. **BIDDING OF BENSCREEK SEWER PROJECT:** Chairman Buncich stated that the Supervisors had requested The EADS Group put together various alternates for this sewer project so that when it was put out for bid, they could go by area to see if it would be feasible to provide coverage. There was a motion by Mr. Kauffman, seconded by Mr. Zuccolotto, to authorize the EADS Group to bid the Benscreek Sanitary Sewer Project with the recommended alternate bid items; bids to be tentatively opened on August 6, 2008. Roll call vote: Mr. Kauffman – yes, Mr. Zuccolotto – yes, and Mr. Buncich – yes. Motion carried unanimously.

### **ITEMS FOR DISCUSSION:**

A request was received from A.B.A.T.E. for an extension of time for amplified music to be played during Thunder In The Valley at Greenhouse Park. Chairman Buncich stated that the current Use Permit listed that amplified music could be played until 11:00 p.m. with soft music until midnight. Residents in the audience felt 11:00 p.m. was long enough. The Supervisors stated this had always been the policy and therefore, there was a motion by Mr. Zuccolotto, seconded by Mr. Kauffman, that A.B.A.T.E. follow the current Use Permit, adhering to time limits for music of amplified music until 11:00 p.m. and soft music until midnight. Roll call vote: Mr. Kauffman – yes, Mr. Zuccolotto – yes, and Mr. Buncich – yes. Motion carried unanimously.

**At this point, Chairman Buncich opened the floor for any public comment.**

**Rich Maldet** of Fernwood Drive wanted to know if the Township was responsible for supplying water to Laurel View Village with regard to fire protection. Chairman Buncich felt that would be the water authority's responsibility. Mr. Maldet stated, no, it would be the Township's responsibility since the Township issued the building permits and were responsible to conduct inspections according to the building codes. Chairman Buncich noted that an Occupancy Permit had not yet been issued to Laurel View. Mr. Maldet warned that the Township had to be careful that it was not involved in any lawsuits with Laurel View; the Township had to make sure Laurel View had enough water in case of another fire like they had last year.

Mr. Zuccolotto stated that the Township's past permit officer, Ron McGee, had gone round and round with Laurel View about installing a water tank, but they won on a technicality and did not put one in. Mr. Zuccolotto said that Laurel View Village needed a water tank, and he would talk to the Township's current permit and codes officer, Mark Walker, on this.

**John Mastillo** of Jerome stated that the Township's volunteer fire companies held various fund raisers in order to keep their heads above water. He said that four years ago the Supervisors had set 1 mil of taxes aside to give to the fire companies, which was no longer done. Mr. Mastillo thought that for the work the fire companies did for the Township, the Supervisors should consider helping them out next year.

**Joe Marisa, Jr.** of Stone Hollow Road stated that the City of Johnstown taxed people who worked in the city, but did not live there. He felt the Township should do the same and give that money to the fire companies.

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**Ken Burkhart** of Soap Hollow Road stated that at the last meeting Mr. Zuccolotto had said something was going to be done about Pine Crest Estates concerning the water and sewer, and he wanted to know if anything was done yet. Mr. Zuccolotto answered that an internal audit of the Sewer Department had been started today.

**Joyce Graham** of Hollsopple wanted to know if Township employees paid anything toward their health benefits. The Supervisors answered, no, health benefits for fulltime employees were completely funded by the Township.

### **ANNOUNCEMENTS:**

1. The next regularly scheduled meeting of the Township Supervisors will be held on Wednesday, July 16, 2008 at 7:00 p.m.

### **ADJOURNMENT:**

There was a motion by Mr. Kauffman, seconded by Mr. Zuccolotto, to adjourn the meeting at 7:28 p.m.

Submitted by,  
Cindy L. Walerysiak, Secretary/Treasurer