

MINUTES OF REGULAR MEETING OF FEBRUARY 20, 2008

The regular meeting of the Conemaugh Township Board of Supervisors was called to order at 7:07 p.m. on February 20, 2008 by Vice-Chairman Wayne Kauffman. Board members present were Wayne Kauffman, Vice-Chairman, and Steven Buncich, Assistant Secretary/Treasurer. Calvin Gindlesperger, Chairman, was absent. Solicitor James Beener was present.

Pledge to the Flag.

EXECUTIVE SESSION – The Supervisors went into Executive Session at 7:08 p.m. to discuss personnel and litigation matters, and returned at 7:15 p.m. Mr. Buncich announced that the following new item would be added to the Agenda under New Business: “Motion to authorize the Solicitor to deliver any and all material or information in the possession of the Township to the Special Investigations Unit of the Pennsylvania State Police for review and investigation to determine the circumstances surrounding the disposition of a Township roller and for any appropriate action.”

FLOOR OPENED TO PUBLIC COMMENT:

Ed Hart of Rachel Avenue and a Board member of the Conemaugh Township Municipal Authority stated that both the Board and Charles Carrico had submitted letters to the Supervisors requesting that Mr. Carrico be reappointed to the CTMA Board. He wanted to say that Mr. Carrico was an asset to the Board and was very knowledgeable of the water system.

Albert Zuccolotto of Wilshire Boulevard and past Conemaugh Township Supervisor wished to state that the Supervisors should think twice before reappointing Mr. Carrico to the CTMA Board. He listed various incidents or decisions Mr. Carrico had been involved with while serving on the Board that he felt were “penny wise and dollar poor”. Mr. Hart responded by stating that Mr. Carrico was only one Board member.

Rich Maldet of Fernwood Drive and past Conemaugh Township Supervisor stated he had been watching the issues regarding the police department and was particularly concerned about the item on the Agenda tonight dealing with an ordinance for police services agreements. He felt the Supervisors should get out of these police services agreements as soon as possible because it was not fair to the taxpayers of this Township. Mr. Maldet further felt that in the last six years, the Supervisors had lost sight of what their number one job was, which was taking care of the roads. He noted that he was in favor of the police department, but the first priority was the roads.

Mr. Buncich stated the Supervisors had heard this from many people lately. Mr. Maldet asked who negotiated the police services agreements. Mr. Buncich answered that he believed it had been the past Chief of Police Howard Jackson, and past Supervisor David Hart. Mr. Maldet said the police department could not spend without approval of the Supervisors.

Albert Zuccolotto said he was disturbed with Mr. Gindlesperger’s statement in the newspaper where he had said that the Township should not lay off any police officers because they had families. Mr. Zuccolotto noted that to keep these officers on would add to further police department costs.

Pat Mulcahy of the Conemaugh Township Municipal Authority wanted to make the Supervisors aware of a leak in the water line that supplied the EMS building across from the municipal building. He stated this line was located directly in front of the municipal building and needed to

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be repaired as soon as possible, but it was unclear at this time who would be responsible for this repair.

Mr. Mulcahy also wished to voice his support of Mr. Carrico being reappointed to the CTMA Board.

Ginger Graham of Lost Valley Road stated that everyone wanted to “cut” the police, but she hoped they never needed them for something. She also asked a question concerning the water line for Laurel View Village. Ms. Graham was informed that water line would be discussed at a meeting of the CTMA on Monday.

Neil Diamond of Quemahoning Dam Road stated that he lived in the outskirts of the Township and was concerned about police coverage if the police were “cut”. Mr. Buncich stated it was not an issue of cutting police, but what the police services agreements cost the Township.

Joe Marisa, Jr. of Carpenters Park Road felt that the Supervisors should not do away with the police services agreements, but they should look at getting enough money for these services. He stated that regionalization would be coming and if the Township already had these police services agreements in place, the Township would have a better chance of keeping control.

Albert Zuccolotto stated he was not against the police services agreements, but he was against the fees that the Township was charging for providing those services. He felt more research should have been done, a public meeting should have been held, and the Supervisors should have voted on it.

Joe Stevens of Stevens Lane stated that “everything went back to 2004”. There was an absentee Supervisor, and everything was turned over to one Supervisor to handle - if a Supervisor did not want to do his job, he should not be on the Board. Mr. Stevens further stated that this would cost the taxpayers “hundreds of thousands of dollars”. Mr. Buncich indicated that the Supervisors have been working very hard as a team now.

Rich Maldet stated that he hoped the Supervisors got the police department straightened out as soon as possible, since they were using taxpayers’ money on an “illegal thing” right now.

MINUTES:

There was a motion by Mr. Buncich, seconded by Mr. Kauffman, to accept the minutes of the regular meeting of January 16, 2008, and special meeting of January 29, 2008. Roll call vote: Mr. Buncich – yes, Mr. Kauffman – yes, and Mr. Gindlesperger – absent. Motion carried, one absent.

BILLS:

There was a motion by Mr. Kauffman, seconded by Mr. Buncich, to pay the bills for the month of February 2008 in the amount of \$55,843.81 for the General Fund, \$18,528.81 for the Liquid Fuels Fund, and \$40,232.47 for the Sewer Fund. Roll call vote: Mr. Kauffman – yes, Mr. Buncich – yes, and Mr. Gindlesperger - absent. Motion carried, one absent.

POLICE REPORTS:

The police reports as submitted by Chief Louis Barclay for the month of January 2008 for Conemaugh Township, Shade Township, Quemahoning Township, and Stoystown Borough

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were read. Mr. Buncich noted these reports covered last month. There was a motion by Mr. Buncich, seconded by Mr. Kauffman, to accept the police reports as read for the month of January 2008. Roll call vote: Mr. Buncich – yes, Mr. Kauffman – yes, and Mr. Gindlesperger – absent. Motion carried, one absent.

PERSONS TO BE HEARD:

1. **Joe Stevens** of Stevens Lane stated that the roller issue was originally reported in June 2007. He stated that Mr. Gindlesperger took four months to recognize the matter and then another three months to make the statement that it had been taken to the scrap yard with the proceeds being placed in a can to pay for employee parties. Mr. Stevens said that now this issue was turned over to the State Police; he hoped that they would come up with something and it was not “swept under the rug”.

Mr. Stevens further stated he had looked at the sewer fund’s monthly balance and it was not in the red. He said Mr. Gindlesperger had stated that the Sewer Fund was thousands of dollars in the red. Mr. Stevens noted that if this was true, how could the sewer department buy a truck? He wanted to know how much the new truck cost. Mr. Buncich stated the truck cost approximately \$16,000.00. Mr. Stevens wanted to know what this truck was needed for. Mr. Buncich stated that some of those questions were the same questions the Supervisors were asking.

Mr. Stevens referred to Item #5 on the Agenda – PENNVEST Offer – Phase II Sewer Project. He wanted to know if this project was going to cost everyone more money, and if that was the case, the Supervisors had better reject this offer tonight as far as he was concerned. Mr. Stevens said he was disappointed that no one else was speaking up on this matter. Mr. Buncich stated that the Township had an audit performed on the sewer fund concerning the feasibility of this project, noting that this would be discussed later on.

2. **Albert Zuccolotto** stated he had hoped that Mr. Gindlesperger would be present tonight since he had insinuated that the roller issue had occurred prior to him and it looked like Mr. Zuccolotto and Mr. Rouser did it. He said the roller was here when he left office and he was happy the matter was turned over to the State Police.

Solicitor Beener noted to Mr. Zuccolotto that in the minutes approved tonight there was a statement by Mr. Gindlesperger that corrected his past statement on the roller.

CORRESPONDENCE:

1. A letter was received from the Humane Society of Somerset County requesting a financial contribution from the Township. There was a motion by Mr. Buncich, seconded by Mr. Kauffman, to give a donation of \$400.00 to the Humane Society of Somerset County. Roll call vote: Mr. Buncich – yes, Mr. Kauffman – yes, and Mr. Gindlesperger – absent. Motion carried, one absent.

2. A letter was received from Charles Carrico requesting to be re-appointed to the Conemaugh Township Municipal Authority Board.

3. An e-mail was received from the Conemaugh Township Recreation Commission with

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their minutes attached listing several requests which would be reviewed by the Supervisors. Mr. Buncich noted that no action would be taken on their requests tonight, but those items would be discussed between the Supervisors.

OLD BUSINESS:

1. **APPOINTMENT TO THE CTMA BOARD:** There was a motion by Mr. Buncich, seconded by Mr. Kauffman, to table the appointment to a five-year term on the Conemaugh Township Municipal Authority Board until next month in order to give the opportunity for anyone else to apply. Roll call vote: Mr. Buncich – yes, Mr. Kauffman – yes, and Mr. Gindlesperger – absent. Motion carried, one absent.

2. **ROLLER ISSUE:** There was a motion by Mr. Buncich, seconded by Mr. Kauffman, to authorize the Solicitor to deliver any and all material or information in the possession of the Township to the Special Investigations Unit of the Pennsylvania State Police for review and investigation to determine the circumstances surrounding the disposition of a Township roller and for any appropriate action. Roll call vote: Mr. Buncich – yes, Mr. Kauffman – yes, and Mr. Gindlesperger – absent. Motion carried, one absent.

3. **APPOINTMENT TO THE CONEMAUGH TWP. RECREATION COMMISSION:** Mr. Buncich noted that the Recreation Commission had advertised for anyone interested in serving on this Commission, they performed the interviews, and these individuals were their recommendation to the Supervisors. There was a motion by Mr. Buncich, seconded by Mr. Kauffman, to appoint Tim Paugh to fulfill the unexpired term of Steve Buncich, and Bill McCann to fulfill the unexpired term of Steve Favreau on the Conemaugh Township Recreation Commission. Roll call vote: Mr. Buncich – yes, Mr. Kauffman – yes, and Mr. Gindlesperger – absent. Motion carried, one absent.

At this point, Dave Burkett of Soap Hollow Road wanted to ask a question regarding the roller issue. He asked if the State Police found something regarding the roller, what would be done. Mr. Buncich stated that whatever came out of this investigation, it would be completely handled by the State Police. Mr. Burkett also asked if the Solicitor had any knowledge of right or wrong that was going on that was never brought into this argument. Solicitor Beener responded, no.

NEW BUSINESS:

1. **2008 SPRING CLEAN UP:** Mr. Kauffman noted that this year the Township would be stricter on the weight limits and amounts of trash per household, noting that two workers were injured last year during clean up. He further stated if anyone wished to haul their own trash to the landfill during that week, they should obtain a dumping permit from the Township Office. There was a motion by Mr. Kauffman, seconded by Mr. Buncich, to advertise the Township's 2008 Spring Clean Up to be held the week of April 21 through 25. Roll call vote: Mr. Kauffman – yes, Mr. Buncich – yes, and Mr. Gindlesperger – absent. Motion carried, one absent.

2. **POLICE SOFTWARE UPGRADE:** There was a motion by Mr. Kauffman, seconded by Mr. Buncich, to approve a programming update to the Police Department's Incident Reporting System to be performed by BDD Customer Software Systems at a cost of \$865.00. Roll call vote: Mr. Kauffman – yes, Mr. Buncich – yes, and Mr. Gindlesperger – absent. Motion carried, one absent.

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3. **ORDINANCE FOR POLICE SERVICES AGREEMENTS:** There was a motion by Mr. Buncich, seconded by Mr. Kauffman, to table authorizing the Township Solicitor to prepare and advertise an ordinance for police services agreements for Shade Township and Stoystown Borough until the Supervisors could further review the financial ramifications to the Township and where they were going with these agreements. Roll call vote: Mr. Buncich – yes, Mr. Kauffman – yes, and Mr. Gindlesperger – absent. Motion carried, one absent.

4. **SPECIAL AUDIT – SEWER FUND:** Mr. Buncich reported that with all the information that was given to the Supervisors by the engineers and the information that was in the sewer department, an audit was conducted last week. The audit findings were contained on a two-page letter. The projection was based on the current average monthly sewer bill of \$48.39. There were other things such as delinquencies included in the report. Mr. Buncich stated the bottom line was that the auditors agreed that the Township could do this project and it would be self-sufficient, but the sewer rates would have to be increased approximately \$1.00 effective 2010, and that would be if everything ran within the engineering plans. Josh Kalp of The EADS Group commented that the auditors looked at all the books, looked at where the rates were at the present time, and they basically foresaw a \$1.00 increase in the sewer rates if the project goes according to the budget.

Solicitor Beener stated that equally important was that the engineers and Kline Kimlin separately reviewed the sewer department expenses and revenues in hand. They made what they thought were reasonable projections going forward, so it was reviewed very carefully to make sure everyone understood what the numbers were before the PENNVEST funding offer was decided upon.

It was asked if everyone's sewer bill was going up to \$48.39 a month. Mr. Kalp noted that was the average rate; some people pay more, some people pay less. Sam Mazzaresse asked what was going on with Pine Crest Estates. Solicitor Beener indicated that a lawsuit had been filed in that matter, and there was a meeting next week with Mr. McKool and his attorney. Mr. Mazzaresse wanted to know if winning that suit was taken into account. Solicitor Beener answered, yes. Mr. Mazzaresse asked if that would then reduce the sewer rates. Mr. Buncich stated that was part of the reason why the sewer rates were increased in 2007; the income projected was not received due to a couple of factors, and if those factors could be resolved, then things should be back to where they belong.

There was a motion by Mr. Buncich, seconded by Mr. Kauffman, to approve payment for a special audit performed by Kline Kimlin to review the Sewer Department's costs and expenses in regard to the PENNVEST funding offer and to review the general expense and revenue structure, at a cost not to exceed \$1,000.00. Roll call vote: Mr. Buncich – yes, Mr. Kauffman – yes, and Mr. Gindlesperger – absent. Motion carried, one absent.

5. **PENNVEST OFFER – PHASE II SEWER PROJECT:** There was a motion by Mr. Buncich, seconded by Mr. Kauffman, to accept the PENNVEST funding offer for the Township's Phase II sanitary sewer project, loan amount - \$12,711,384.00, and grant amount - \$2,688,616.00, for a total offer in the amount of \$15,400,000.00. Roll call vote: Mr. Buncich – yes, Mr. Kauffman – yes, and Mr. Gindlesperger – absent. Motion carried, one absent.

6. **SEMINAR APPROVAL:** There was a motion by Mr. Buncich, seconded by Mr. Kauffman, to authorize Darcy Yoder and Mary Ann Collins, employees of the Township's Sewer Department, to attend a Collections Law seminar in Altoona on May 13, 2008 for a cost

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of \$179.00 per person, total cost - \$358.00. Roll call vote: Mr. Buncich – yes, Mr. Kauffman – yes, and Mr. Gindlesperger – absent. Motion carried, one absent

7. **MINOR SUBDIVISION:** This subdivision plan was approved by the Conemaugh Township Planning Commission on February 6, 2008. There was a motion by Mr. Buncich, seconded by Mr. Kaufman, to approve the minor subdivision of David J. & Judith A. Brotz, applicant, to create Lot No. 3, containing 19.70 acres, from the overall David J. and Judith A. Brotz property; original tract containing 56.58 acres; residual tract (Lot No. 1) retaining 36.88 acres, (Lot No. 2 was previously conveyed from the parent tract in November of 1998.), contingent upon receipt of approval by PA DEP of the Sewage Facilities Planning Module Exemption. Roll call vote: Mr. Buncich – yes, Mr. Kauffman – yes, and Mr. Gindlesperger – absent. Motion carried, one absent

8. **MINOR SUBDIVISION:** This subdivision plan was approved by the Conemaugh Township Planning Commission on February 6, 2008 contingent upon receipt of favorable comment from the Somerset County Planning Commission, which was received. There was a motion by Mr. Buncich, seconded by Mr. Kauffman, to approve the minor subdivision of Gladys R. Hollsopple, owner, and Gary L. & Joanne R. Berkey, applicants, for the conveyance of a portion of the Gladys R. Hollsopple property to Gary L. & Joanne R. Berkey. This subdivision is located along Mary's Way, a private drive. This subdivision plan depicts the conveyance 0.406 acres from the exiting Hollsopple property and adjoining that into the adjacent Berkey property. The original Hollsopple tract contains 1.214 acres. The reduced Hollsopple property will retain 0.808 acres. The Berkey property will be increased from the original 1.500 acres to 1.906 acres. Roll call vote: Mr. Buncich – yes, Mr. Kauffman – yes, and Mr. Gindlesperger – absent. Motion carried, one absent

ENGINEER UPDATE:

Josh Kalp of The EADS Group stated that the contractor would return in the spring to complete restoration work for the Whitewater Park Project. The EADS Group continued to work on the Phase II Sanitary Sewer Project.

ITEMS FOR DISCUSSION:

None.

ANNOUNCEMENTS:

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

ADJOURNMENT:

There was a motion by Mr. Kauffman, seconded by Mr. Buncich, to adjourn the meeting at 8:07 p.m.

Submitted by,

Cindy L. Walerysiak, Secretary/Treasurer