

## **MINUTES OF REGULAR MEETING OF JUNE 17, 2009**

The regular meeting of the Conemaugh Township Board of Supervisors was called to order at 7:01 p.m. on June 17, 2009 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:**

None.

### **NOTIFICATION OF EXECUTIVE SESSION:**

The Supervisors met on May 28th with the Solicitor and Engineers to review the Benscreek Sewer Project budget; and with Kline Kimlin Accounting Firm for an exit conference on the Township's 2008 audit report; on June 3rd with the Solicitor, Zoning Officer, and a resident on a zoning matter; and with the Engineers to review Hillcrest Drive; and with the Fire Services Review Committee; and on June 15<sup>th</sup> with the Fire Services Review Committee.

### **MINUTES:**

There was a motion by Mr. Zuccolotto, seconded by Mr. Kauffman, to accept the minutes of the regular meeting of May 20, 2009. Roll call vote: Mr. Zuccolotto – yes, Mr. Kauffman – yes, and Mr. Buncich – yes. Motion carried unanimously.

### **BILLS:**

There was a motion by Mr. Zuccolotto, seconded by Mr. Kauffman, to pay the bills for the month of June 2009 in the amount of \$60,759.84 for the General Fund, \$3,424.63 for the Liquid Fuels Fund, and \$106,791.11 for the Sewer Fund. Roll call vote: Mr. Zuccolotto – yes, Mr. Kauffman – yes, and Mr. Buncich – yes. Motion carried unanimously.

### **POLICE REPORTS:**

The police report as submitted by Chief Louis Barclay for the month of May 2009 for the Conemaugh Township Police Department was available for review. Total reported incidents/complaints were 247. There was a motion by Mr. Zuccolotto, seconded by Mr. Kauffman, to accept the police report as submitted for the month of May 2009. Roll call vote: Mr. Zuccolotto – yes, Mr. Kauffman – yes, and Mr. Buncich – yes. Motion carried unanimously.

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

None.

### **CORRESPONDENCE:**

None.

### **OLD BUSINESS:**

1. **HILLCREST AVENUE DEVELOPMENT:** Chairman Buncich stated a letter dated June 15, 2009 was received from The EADS Group giving recommendations to be completed prior to acceptance of the section of Hillcrest Avenue as it runs through the Hillcrest Development. He proceeded to read those recommendations, noting that they were the same as was previously recommended, and were as follows:

## **MINUTES OF JUNE 17, 2009 MEETING CONTINUED.**

1. The final as-built development conditions should be evaluated with respect to the final design drawing submission.
2. The pavement should be core tested.
3. It should be verified that adequate property is available to provide cul-de-sac embankment slopes that will have long term stability.

The Supervisors will send a letter to the developer noting these recommendations and suggest meeting to discuss them.

### **NEW BUSINESS:**

1. **2008 AUDIT REPORT:** There was a motion by Mr. Zuccolotto, seconded by Mr. Kauffman, to approve the 2008 Audited Financial Statements for the year ended December 31, 2008 for the Conemaugh Township Supervisors as prepared by Kline Kimlin, Certified Public Accountants. Roll call vote: Mr. Zuccolotto – yes, Mr. Kauffman – yes, and Mr. Buncich – yes. Motion carried unanimously.

2. **POLICE CONTRACT:** There was a motion by Mr. Zuccolotto, seconded by Mr. Kauffman, to approve the Conemaugh Township Police Contract for January 1, 2009 through December 31, 2011. Roll call vote: Mr. Zuccolotto – yes, Mr. Kauffman – yes, and Mr. Buncich – yes. Motion carried unanimously.

3. **TOWNSHIP POLICY:** There was a motion by Mr. Kauffman, seconded by Mr. Zuccolotto, to approve an Expenditure Authorization and Disposal of Surplus Property Policy. Roll call vote: Mr. Kauffman – yes, Mr. Zuccolotto – yes, and Mr. Buncich – yes. Motion carried unanimously.

4. **HOLLSOPPLE BALL FIELD LEASE:** There was a motion by Mr. Kauffman, seconded by Mr. Zuccolotto, to accept the Certificates of Insurance as submitted by the Lessees of the Hollsopple Ball Field as in compliance with this lease. Roll call vote: Mr. Kauffman – yes, Mr. Zuccolotto – yes, and Mr. Buncich – yes. Motion carried unanimously.

5. **GRANT AWARD:** There was a motion by Mr. Zuccolotto, seconded by Mr. Kauffman, to accept the grant award received from Mountain Technologies (Department of Justice) in the amount of \$11,707.76 to be expended for items in the Police Department which was applied for by Chief Barclay and was just received. Roll call vote: Mr. Zuccolotto – yes, Mr. Kauffman – yes, and Mr. Buncich – yes. Motion carried unanimously.

### **PHASE II BENSCREEK SANITARY SEWER PROJECT**

1. **ENGINEER UPDATE** – Josh Kalp of the EADS Group reported the sludge dewatering building was approximately 95% complete; equipment startup and punch list work remains. The start up for the filter press will be done on Monday, Tuesday, and Wednesday. Area A - Approximately 17,600 LF of sewer lines have been installed. The wet well was installed, and the contractor has “covered up” in the Dunlo lot. Work in the Ideal Park Area is on-going and restoration has been initiated. The contractor plans to add a crew to work on Rte. 403 Monday through Wednesday next week, but would be done before Thunder in the Valley. Area B – Approximately 21,000 LF of sewer lines have been installed, and the contractor continues to work in the Old State Highway and Fender Lane area. Restoration in this area has been initiated. Area C – Approximately 17,300 LF of sewer lines have been installed. The contractor is continuing to work on the main sewer interceptor and will proceed out to Thomas Mills before

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starting up Moonlite Park Road. Restoration in this area has been initiated. Mr. Kalp noted that the contractor was concentrating on restoration in the areas where complaints have been received first.

Richard Maldet voiced concern that the original survey done on Fernwood Drive for the sewer project was wrong. Mr. Kalp said he would look into this tomorrow.

2. **PROJECT INVOICES:** There was a motion by Mr. Zuccolotto, seconded by Mr. Kauffman, to approve the payment of the following invoices for the Benscreek Sanitary Sewer Project totaling \$679,303.50 and to submit them to PENNVEST on Pay Request No. 1 for reimbursement:

| <u>Payee</u>              | <u>Total</u> | <u>Description</u>              |
|---------------------------|--------------|---------------------------------|
| Gordon L. DeLozier, Inc.  | \$ 28,470.55 | Construction - Contract 05-S-01 |
| Church & Murdock Electric | \$ 29,276.25 | Construction - Contract 05-S-02 |
| Ligonier Construction Co. | \$224,626.66 | Construction - Contract 05-S-03 |
| Ligonier Construction Co. | \$188,267.16 | Construction - Contract 05-S-04 |
| Ligonier Construction Co. | \$208,662.88 | Construction - Contract 05-S-05 |

Roll call vote: Mr. Zuccolotto – yes, Mr. Kauffman – yes, and Mr. Buncich – yes. Motion carried unanimously.

3. **CHANGE ORDER NO. 1 – CONTRACT 05-S-01:** There was a motion Mr. Zuccolotto, Mr. Kauffman, to approve Change Order No. 1 – Contract 05-S-01 for the Benscreek Sanitary Sewer Project in the amount of \$3,481.42 which includes the addition of unit heaters and improvements to the sludge dumpster guide rail system. Roll call vote: Mr. Zuccolotto – yes, Mr. Kauffman – yes, and Mr. Buncich – yes. Motion carried unanimously.

4. **CHANGE ORDER NO. 2 – CONTRACT 05-S-03:** There was a motion by Mr. Zuccolotto, seconded by Mr. Kauffman, to approve Change Order No. 2 – Contract 05-S-03 for the Benscreek Sanitary Sewer Project in the amount of \$2,571.45 which includes the additional stone backfill required on Glessner Road and the addition of 12” sewer unit prices with stone backfill. Roll call vote: Mr. Zuccolotto – yes, Mr. Kauffman – yes, and Mr. Buncich – yes. Motion carried unanimously.

5. **CHANGE ORDER NO. 2 – CONTRACT 05-S-05:** There was a motion by Mr. Zuccolotto, seconded by Mr. Kauffman, to approve Change Order No. 2 – Contract 05-S-05 for the Benscreek Sanitary Sewer Project in the amount of \$1,264.00 which is for the replacement of an uncharted 36” storm sewer which was encountered during construction. Roll call vote: Mr. Zuccolotto – yes, Mr. Kauffman – yes, and Mr. Buncich – yes. Motion carried unanimously.

6. **QUOTE FOR ROAD REPAIR – CONTRACT 05-S-03:** There was a motion by Mr. Zuccolotto, seconded by Mr. Kauffman, to accept the quote from Ligonier Construction Company, under Contract 05-S-03, as follows for Tack and Overlay work:

Tack and 1 ½” overlay-

Govier Lane – 820’ x 18’ wide, 14,760 SF (1,640 SY)

Glessner Road to Fernwood Drive – 975’ x 21’ wide, 20,475 SF (2,275 SY)

Total Cost = **\$29,800.00** (Price includes all equipment, labor and material to perform excavation work; does not include permits, bonds, engineering costs, or stakeout.)

Cost to be paid from the Township’s General Fund. Roll call vote: Mr. Zuccolotto – yes, Mr. Kauffman – yes, and Mr. Buncich – yes. Motion carried unanimously.

## **MINUTES OF JUNE 17, 2009 MEETING CONTINUED.**

7. **ENGINEERING AGREEMENT:** There a motion by Mr. Zuccolotto, seconded by Mr. Kauffman, to approve the revised Additional Services estimates in the Professional Engineering Agreement between Conemaugh Township and The EADS Group, Inc. for the Benscreek Sanitary Sewer Project, dated March 16, 2005 and amended December 21, 2005. Roll call vote: Mr. Zuccolotto – yes, Mr. Kauffman – yes, and Mr. Buncich – yes. Motion carried unanimously.

8. **SEWER TAP IN FEES:** Chairman Buncich noted that the Supervisors have had requests from customers for more time to pay the sewer tap fees for the new sewer project. There was a motion by Mr. Zuccolotto, seconded by Mr. Kauffman, to approve the extension of time to purchase sewer tap in fees at a discounted rate from August 31, 2009 to September 30, 2009. Roll call vote: Mr. Zuccolotto – yes, Mr. Kauffman – yes, and Mr. Buncich – yes. Motion carried unanimously.

9. **MUNICIPAL SOLICITOR ENGAGEMENT LETTERS:** Solicitor Barbin explained that these engagement letters were for the purpose of authorizing the municipal solicitors to undertake the legal work necessary for the Benscreek Sanitary Sewer Project, and to assist with the closing process for the PENNVEST loan involved. There was a motion by Mr. Zuccolotto, seconded by Mr. Kauffman, to approve the Terms of Engagement and Legal Services for the Municipal Solicitor for the Benscreek Sanitary Sewer Project as described in the letter dated June 16, 2009 from the Law Offices of Gleason, Barbin & Markovitz, LLP, and the letter dated June 17, 2009 from the Law Offices of Barbera, Clapper, Beener, Rullo & Melvin, LLP.

### **ITEMS FOR DISCUSSION:**

None.

### **PUBLIC COMMENT:**

**Neil Diamond** of 348 Quemahoning Dam Road stated that something needed to be done about the speeding on Quemahoning Dam Road, indicating that he had approached the police about the speeding in that past, and that there recently was a bad wreck on that road. Chairman Buncich said the Supervisors would notify the police department about this.

**Chief Barclay** wanted to update the Supervisors on the Benson Borough radio matter. He stated that he had contacted Mr. Knapp, Benson Borough Councilman, but he had not heard back from him as to whether or not they would accept the radios the Township was offering them. Chairman Buncich asked the Chief to keep the Supervisors updated.

### **ANNOUNCEMENTS:**

1. The next regularly scheduled meeting of the Township Supervisors will be held on Wednesday, July 15, 2009 at 7:00 p.m.

### **ADJOURNMENT:**

There was a motion by Mr. Zuccolotto, seconded by Mr. Kauffman, to adjourn the meeting at 7:24 p.m.

Submitted by,

Cindy L. Walerysiak, Secretary/Treasurer