

MINUTES OF REGULAR MEETING OF SEPTEMBER 15, 2010

The regular meeting of the Conemaugh Township Board of Supervisors was called to order at 7:00 p.m. on September 15, 2010 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 ON ITEMS ON AGENDA:

Brain Shoff of Ideal asked if the zoning ordinance referenced on the Agenda would be posted on line. Solicitor Barbin explained it was the same Ordinance No. 678 that was currently posted on the Township's web site; the Supervisors would just be readopting it.

Bret Werder of Norlin Drive asked why the Township was adopting a move in/move out ordinance. Solicitor Barbin said it was to keep track of when people moved in and moved out of a residence for the purpose of sewer bills, taxes, and where to file liens, etc., but in particular it was for the trailer park. Mr. Werder felt that certain residents were going to move without regard to this ordinance. Solicitor Barbin stated that this Ordinance was enforceable by the Police Department and there were penalties involved. Mr. Zuccolotto noted the permit for this cost \$1.00. Chairman Buncich stated the Supervisors hoped the Ordinance worked for the purpose it was intended.

NOTIFICATION OF EXECUTIVE SESSSION:

The Supervisors met on August 25th with Solicitor Barbin to review zoning issues and other Township matters; on August 31st with Dean Yoder concerning repairs to Cambridge Drive; on September 2nd with Solicitor Barbin and representative from Waste Management to discuss the leachate agreement; and on September 7th with Solicitor Barbin, Mark Walker, and representatives from the proposed Dovey Mining Operations.

MINUTES:

There was a motion by Mr. Kauffman, seconded by Mr. Zuccolotto, to accept the minutes of the regular meeting of August 18, 2010. Roll call vote: Mr. Kauffman – yes, Mr. Zuccolotto – 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 September 2010 in the amount of \$7,796.19 for the General Fund, \$10,085.58 for the Liquid Fuels Fund, \$108,160.80 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 August 2010 for the Conemaugh Township Police Department was available for review. Total reported incidents/complaints were 207. There was a motion by Mr. Kauffman, seconded by Mr. Zuccolotto, to accept the police report as submitted for the month of August 2010. Roll call vote: Mr. Kauffman – yes, Mr. Zuccolotto – yes, and Mr. Buncich - yes. Motion carried unanimously.

MINUTES OF SEPTEMBER 15, 2010 MEETING CONTINUED.

PERSONS TO BE HEARD:

None.

CORRESPONDENCE:

1. A letter was received from the Pennsylvania Committee for Employer Support of the Guard and Reserve requesting signature on a Statement of Support. There was a motion by Mr. Zuccolotto, seconded by Mr. Kauffman, to sign the Statement of Support. Roll call vote: Mr. Zuccolotto – yes, Mr. Kauffman – yes, and Mr. Buncich - yes. Motion carried unanimously.

OLD BUSINESS:

1. **PAVING REQUEST:** This request from Al Meehleib that the Township pave the alley that ran beside the Township Hardware to East Campus Avenue due a problem with dust was tabled at August 18, 2010 meeting because more information was needed. No further information was received in regard to this request at this time. There was a motion by Mr. Zuccolotto, seconded by Mr. Kauffman, to table Mr. Meehleib's request indefinitely until more information was gathered from the property owners involved. Roll call vote: Mr. Zuccolotto – yes, Mr. Kauffman – yes, and Mr. Buncich - yes. Motion carried unanimously.

2. **LAND DEVELOPMENT (Bobwhite Court):** This matter was tabled at August 18, 2010 meeting because Cambridge Drive repairs needed to be discussed first. The Conemaugh Township Planning Commission requested a revised site development plan depicting the new Cambridge Place facility which was received on July 28, 2010. This revised site plan was approved by the Conemaugh Township Planning Commission on August 4, 2010, contingent upon approval of the Soil Erosion and Sedimentation Control Plan by the Somerset County Conservation District. Chairman Buncich stated all that was holding this up was strictly the Soil Erosion and Sedimentation Control Plan; the complexes were already built. Brian Shoff asked about the drainage. Solicitor Barbin noted that soil erosion and sedimentation control was different than stormwater drainage.

There was a motion by Mr. Zuccolotto, seconded by Mr. Kauffman, to approve the revised site development plan of Laurel View Village, owner and applicant, for the development of a cul-de-sac named Bobwhite Court at the existing Planned Residential Development of Laurel View Village and to construct four duplex structures around the proposed new cul-de-sac, contingent upon receipt of approval of the Soil Erosion and Sedimentation Control Plan by the Somerset County Conservation District. Roll call vote: Mr. Zuccolotto – yes, Mr. Kauffman – yes, and Mr. Buncich - yes. Motion carried unanimously.

NEW BUSINESS:

1. **ORDINANCE NO. 679:** There was a motion by Mr. Zuccolotto, seconded by Mr. Kauffman, to adopt Ordinance No. 679 requiring permits to move in/move out in Conemaugh Township. Roll call vote: Mr. Zuccolotto – yes, Mr. Kauffman – yes, and Mr. Buncich - yes. Motion carried unanimously.

2. **MINOR SUBDIVISION – MARISA:** The Conemaugh Township Planning Commission approved this plan on September 1, 2010 contingent upon the notarized statement on the plan being signed, and comment from the Somerset County Planning Commission. The notarized statement has been signed on the plan. A letter was received from the Somerset County

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Planning Commission dated September 9, 2010 indicating that the plan was certified by a Registered Professional Engineer, not a Professional Land Surveyor as required; Mr. Marisa was notified to make this change on the plan, and the plan was submitted signed and sealed by a Professional Land Surveyor on September 15, 2010. There was a motion by Mr. Zuccolotto, seconded by Mr. Kauffman, to ratify relief of the placement of iron pins along the right-of-way of Old Tire Hill Road for this plan, and to approve the minor subdivision plan of Mario & Kathy Marisa, owners and applicants, to create one new lot containing 4.07 acres from an existing 37.33 acre property of Mario & Kathy Marisa, with the residue property containing 33.26 acres (property located along Old Tire Hill Road and Starvis Lane); contingent upon review by the Township's Zoning Officer. Roll call vote: Mr. Zuccolotto – yes, Mr. Kauffman – yes, and Mr. Buncich - yes. Motion carried unanimously.

3. **LAND DEVELOPMENT – LCT ENERGY:** The Conemaugh Township Planning Commission approved this plan on September 1, 2010 contingent upon resolution of the new Zoning Ordinance matter. There was a motion by Mr. Kauffman, seconded by Mr. Zuccolotto, to approve the land development plan of Carl R. & Sharon L. Yoder, property owners, and LCT Energy, LP, applicant, for a proposed deep mine portal site and appurtenant development of a service shop, bath house, parking areas, an earthen barrier, product stockpiles, and sediment and treatment ponds (property located off Penn Avenue approximately one mile east of the intersection of Penn Avenue with SR 219); contingent upon resolution of the new Zoning Ordinance matter. Roll call vote: Mr. Kauffman – yes, Mr. Zuccolotto – yes, and Mr. Buncich - yes. Motion carried unanimously.

4. **LAND DEVELOPMENT – MLAKER:** The Conemaugh Township Planning Commission approved this plan on September 1, 2010 contingent upon the submission of stormwater management calculations. The stormwater management calculations were received on September 14, 2010. There was a motion by Mr. Kauffman, seconded by Mr. Zuccolotto, to approve the land development plan of Craig Mlaker, owner, and Mlaker Transportation, Inc., applicant, to construct a 14' x 196' addition to the existing Mlaker Transportation, Inc. facility located at 1976 Valley View Drive, Davidsville to be used for additional storage for the business. Chairman Buncich read Mark Walker's letter of review for this Plan which indicated that there were no deficiency comments with respect to the plan. It was noted that the stormwater management requirements for this project fall under an exemption in Ordinance No. 677. Best Management Practices (BMP) collection and controls were used to infiltrate the stormwater developed by the proposed addition into the groundwater. Solicitor Barbin noted that they would be doing stormwater management for this plan. Roll call vote: Mr. Kauffman – yes, Mr. Zuccolotto – yes, and Mr. Buncich - yes. Motion carried unanimously.

5. **CONSENT ORDER:** At this point, Solicitor Barbin stated he had a proposed Consent Order to resolve the appeal which related to the site plan of LCT Energy for a proposed deep mine portal in Jerome that was approved by the Conemaugh Township Planning Commission and the Supervisors. He said he needed to read the Consent Order out loud to the public before it was submitted to court.

The Consent Order was read by Solicitor Barbin as follows:

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CONSENT ORDER

AND NOW, this _____ day of September, 2010, upon consideration of the Notice of Appeal and the Joint Motion of Appellants and Conemaugh Township to settle the matters complained of therein, IT IS HEREBY ORDERED AND DECREED, as follows:

FINDINGS

1) Syco Land, Inc. ("Syco") is a Pennsylvania corporation with an address of 323 Center Street, Boswell, Somerset County, Pennsylvania.

2) LCT Energy, LP ("LCT") is a Pennsylvania Limited Partnership which maintains offices at 941 Pine Grove Lane, Suite B, Johnstown, Pennsylvania.

3) In 2006, Syco leased a portion of a property owned by Carl Yoder, located at 1266 Penn Avenue, Hollsopple, Conemaugh Township, Pennsylvania 15935 (the "Yoder Property").

4) Syco entered into the Yoder lease for the express purpose of conducting surface coal mining operations in the nature of mine entries and related facilities for an underground coal mining operation with respect to approximately 1,600 hundred acres of coal that Syco owns, which coal lies entirely within the Township.

5) In 2010, Syco granted an option to LCT to take an assignment of the Yoder lease from Syco.

6) LCT entered into the LCT option agreement for the express purpose of conducting surface coal mining operations in the nature of mine entries and related facilities for an underground coal mining operation with respect to Syco's coal, other coal which LCT obtained an option to lease from Wilmore Coal Company, and coal that is adjacent to the Syco coal and Wilmore Coal Company coal.

7) Syco and LCT are "Landowners" under Section 107 of the Municipalities Planning Code (MPC), Act of July 1, 1968, P.L. 805, *as amended*, 53 P.S. §§10101-11202.

8) Conemaugh Township is a political subdivision organized under The Second Class Township Code, Act of May 1, 1993, (PL 103, No. 69), *as reenacted and amended*, 53 P.S. §65101, et seq.

9) The Supervisors are the duly elected governing body of the Township, pursuant to Section 601 of the Second Class Township Code.

10) At all material times hereto, the Yoder Property has been located in a Rural Residential Zoning District.

11) From the time Syco and LCT acquired their respective interests in the Yoder Property, surface mining has been a use permitted as "of right" in Rural Residential Districts under the prior Township zoning ordinance ("Ordinance No. 403").

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12) On July 21, 2010, however, the Supervisors voted to enact an amended Zoning Code, designated as Ordinance No. 678, with an effective date of July 26, 2010 (“Ordinance No. 678”).

13) Ordinance No. 678 included a number of amendments to the prior zoning code, including an amendment which banned surface coal mining in Rural Residential Districts.

14) On August 20, 2010, Syco and LCT filed a timely Notice of Appeal with the Court of Common Pleas of Somerset County at the above captioned term and number, challenging the validity of the enactment of Ordinance No. 678.

15) In their appeal, Syco and LCT averred that Ordinance No. 678 was void *ab initio* because the Conemaugh Township failed to comply with certain procedural requirements of the Municipalities Planning Code.

16) In their appeal, Syco and LCT also alleged that surface mining was a permitted use in the Rural Residential District under Ordinance 403, that Ordinance No. 678 had the effect of banning surface mining activities in the nature of mine entries and related facilities for an underground coal mining operation with respect to Syco’s coal, other coal which LCT obtained an option to lease from Wilmore Coal Company and coal that is adjacent to the Syco coal and Wilmore Coal Company coal in a Rural Residential District.

17) In their appeal, Syco and LCT also alleged that surface mining activities in the nature of mine entries and related facilities for an underground coal mining operation with respect to Syco’s coal, other coal which LCT obtained an option to lease from Wilmore Coal Company and coal that is adjacent to the Syco coal and Wilmore Coal Company coal in a Rural Residential District amounted to a lawful pre-existing, nonconforming use such that such activities could be located on the Yoder property for their intended purpose notwithstanding the enactment of Ordinance No. 678.

18) Conemaugh Township and the Board of Supervisors of Conemaugh Township (“Appellees”) dispute the allegations in Appellants’ Notice of Appeal, but otherwise agree that the Appellants have established a lawful pre-existing, nonconforming use as described in paragraph 17 of this Order.

19) The Appellees further agree that the location of the mining operations, to the extent that they are conducted below the ground surface, is beyond the purview of the Township Zoning Ordinance(s) and Appellees agree not to object or take any enforcement against LCT in the future with respect to the location below the ground surface of any of LCT’s mining operations regardless of the zoning of the overlying surface.

20) On August 20, 2010, LCT submitted a Land Development Application Preliminary Plan Submittal (“Site Plan Application”) to the Conemaugh Township Planning Commission for the purpose of obtaining approval from the Conemaugh Township Planning Commission (the “Commission”) to conduct surface mining activities in the nature of mine entries and related facilities for an underground coal mining operation with respect to Syco’s coal, other coal which LCT obtained an option to lease from Wilmore Coal Company and coal that is adjacent to the Syco coal and Wilmore Coal Company coal in a Rural Residential District.

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21) On August 20, 2010, LCT also submitted a Sanitary Sewer Service Application to service the Yoder Property.

22) At its September 1, 2010 meeting, the Commission granted conditional approval for the Site Plan Application. The copy of the Commission's unofficial minutes from the September 1, 2010 meeting and the Preliminary Site Plan are attached as Exhibits A and B to this Order.

23) Appellants and Appellees wish to resolve the issues that are the subject to Appellants' Notice of Appeal at the above captioned term and number and have jointly submitted this Order to this Court for the purpose of such resolution.

NOW, THEREFORE, IT IS HEREBY ORDERED THAT:

1) The above-referenced Findings are incorporated herein by reference as though set forth at length.

2) Conemaugh Township shall immediately issue a certificate of zoning approval for the surface aspects of and underground mining operations, being a mine entry as shown on a site plan submitted by Appellants and attached to the Motion filed in this case, to be located upon the Carl Yoder property at 1266 Penn Avenue, Hollsopple, Conemaugh Township, Somerset County, Pennsylvania.

3) The approval shall further cover the conduct of surface mining activities on the Yoder Property, associated with the underground mining of coal. The approval shall include related underground facilities for an underground coal mining operation with respect to Syco's coal, other coal which LCT obtained an option to lease from Wilmore Coal Company, and coal that is adjacent to the Syco coal and Wilmore Coal Company coal.

4) This consent shall further include the construction and operation of any additional surface facilities, located within the Rural Residential Zoning District, Conservation Zoning District, Light Industrial Zoning District, or Heavy Industrial Zoning District that are ancillary to or reasonably related to the proposed underground mine such as bore holes, surface impoundments and treatment facilities, ventilation holes and ventilation fans. Such activities may be carried out in conformance with the requirements of Ordinance No. 403 or Ordinance No. 678 (to the extent that either Ordinance provides less restrictive provisions with respect to surface mining activities), or any subsequent repeal, re-adoption, invalidation or amendment thereof or thereto, or the enactment or enforcement of any subsequent zoning ordinance duly adopted by Conemaugh Township and the Supervisors, in accordance with the approval of the Site Plan Application by the Commission, and otherwise in accordance with applicable state and federal law. This approval shall further include the conduct of underground coal mining operations underlying the surface of the Coal Area (Exhibit "A" to the Preliminary Site Plan Application).

5) Appellants, and their successors and assigns, shall construct and maintain the features shown on the Preliminary Site Plan submitted by Appellants (Exhibit B hereto), to be located upon the Carl Yoder property at 1266 Penn Avenue, Hollsopple, Conemaugh Township, consisting of: (1) an earthen berm at least ten feet high, planted with trees and (2) confining all coal extraction activities (and other activities as indicated on the Preliminary Site Plan) to a pit to

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be constructed on the Yoder property and (3) paving and maintaining 500' of the Driveway (from State Route 601) as shown on Exhibit 2 of the Preliminary Site Plan (Exhibit B hereto).

6) Appellants, and their successors and assigns, shall maintain and operate the mining site under the following restrictions:

a. Hours of mine operation may be 24 hours per day, seven days per week.

b. Hours for hauling coal from the mine shall be limited to 6:00 AM to 6:00 PM (except in the case of truck breakdowns that necessitate a loaded truck departing after 6:00 PM).

c. Operation of off-road mobile equipment used to load coal trucks shall be limited to 6:00 AM to 6:00 PM, except where reasonably necessary in the event of other equipment breakdown, malfunction, or emergency.

7) Appellants and Appellees agree not to appeal the entry of this Order.

8) This Court concludes that the settlement of this land use appeal, pursuant to the foregoing terms, is in the public interest.

9) This Order shall become null and void and the parties hereto may proceed with the above-captioned matter in the event that either any timely third party intervention in the above-captioned matter or timely appeal or objection to this Order is not resolved to the mutual satisfaction of Appellants and Appellees.

10) Promptly after the expiration of thirty-one days following (i) the entry of this Order on the docket and (ii) the approval, to the reasonable satisfaction of Appellants, of the Preliminary Site Plan Application by the Commission, and provided that no third party has filed an application to intervene in the above-captioned matter or filed an appeal or objection to this Order or any action by the Commission approving the Site Plan Application, such that in each case (the case of (i) and (ii)) both this Order and the Site Plan Application approval (to the reasonable satisfaction of Appellants) become final and unappealable, Appellants shall file a Praecipe to Withdraw the Notice of Appeal.

11) This Order shall be binding on and inure to the benefit of the successors and assigns of the parties hereto.

12) The signature of the parties hereto, but their undersigned counsel, means that they have consented to the terms and entry of this Order.

13) This Order shall survive the filing of such Praecipe to Withdraw the Notice of Appeal and shall be binding on and inure to the benefit of and govern the parties hereto and their privies, and their respective successors and assigns. This Court shall retain continuing jurisdiction over the matters that are the subject of this Order.

BY THE COURT:

MINUTES OF SEPTEMBER 15, 2010 MEETING CONTINUED.

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Board of Supervisors of Conemaugh Township

Solicitor Barbin stated that a vote would authorize him to file the Consent Order with court in Somerset. He explained that the zoning ordinance was adopted without getting a letter from the Somerset County Planning Commission, but the Township had since received that letter; it was not present at the Township on the day the ordinance was adopted. Solicitor Barbin said that was a technical deficiency; both he and Mark Walker forgot to look for it, and this was a basis for a reasonable appeal.

Solicitor Barbin further explained that after the Ordinance was adopted the representatives of this coal company came forward and said they had been drilling this site for a couple of years, were developing a plan and were ready to move ahead with the mining plan on this site. They felt the Township had just “pulled the carpet out from underneath them” with this new Ordinance. The Supervisors agreed to talk with the coal company. The coal company brought in a plan that both the Township’s Planning Commission and Supervisors felt was a good plan, which was approved by the Planning Commission on September 1st, subject to the ordinance issue being resolved, and the Supervisors approved it two motions ago, also subject to the Zoning Ordinance matter being resolved.

Solicitor Barbin stated that surface mining had been permitted in a RR District under the old ordinance, and it was reasonable to believe that the court would say they had done enough to have a legitimate prior non-conforming use since the coal company had done substantial acts and spent substantial amounts of funds in developing this plan up until the time the Township changed the ordinance. Whether the court used the technicality of if the letter from the County was here late or not, the court would probably say the coal company had been developing this plan for awhile. Solicitor Barbin explained if the court did that, the coal company then would have the right to do their mine however they wanted and the PA Court Law had said many times the only thing the Township was allowed to regulate in a surface mining operation was the setbacks. This coal company has offered to give the following concessions: 1) Install a 10’ earthen embankment between their property and the houses along Rte. 601, and would also plant trees on it. 2) Pave the 500’ driveway. 3) They voluntarily offered to limit their hours of operation from 6:00 a.m. to 6:00 p.m.

Solicitor Barbin said the coal company has offered something that was above and beyond what the Township could afford them to do, and on that basis he thought it was a good thing for the Supervisors to approve this.

MOTION - There was a motion by Mr. Zuccolotto, seconded by Mr. Kauffman, to approve the Consent Order in the Zoning Appeal matter of Syco, Inc. for a deep mine portal in Jerome. Roll call vote: Mr. Zuccolotto – yes, Mr. Kauffman – yes, and Mr. Buncich - yes. Motion carried unanimously.

MINUTES OF SEPTEMBER 15, 2010 MEETING CONTINUED.

At this point, Chairman Buncich asked for any public comment on this item:

Mr. Werder asked if the coal company would be pulling stumps. Solicitor Barbin said, no, but once they were in they could sell to another company. He said that matter was up to DEP and outside of the Township's jurisdiction.

Mr. Werder asked about the clause in the Consent Order that stated the Township forgave any further rights to contest anything the coal company did. Solicitor Barbin stated the coal company had to follow Ordinance No. 403.

Someone asked about water pollution into the streams. Solicitor Barbin said this fell under DEP also – the Township was not allowed to regulate anything with water. He further noted that NPDES permit would be required, and DEP would be monitoring it closely.

Chairman Buncich wished to thank the representatives from the coal company for their cooperation; and in turn the coal company thanked the Supervisors.

PHASE II BENS CREEK SANITARY SEWER PROJECT

1. **ENGINEER UPDATE:** Chairman Buncich stated that the engineers were not present tonight. If there were any questions about the sewer project for the Engineers, the Supervisors would forward them on to the Engineers.

2. **PROJECT INVOICES:** There was a motion by Mr. Kauffman, seconded by Mr. Zuccolotto, to approve the payment of the following invoices for the Benscreek Sanitary Sewer Project totaling \$21,714.14:

<u>Payee</u>	<u>Total</u>	<u>Description</u>
Ligonier Construction Co.	\$ 3,766.38	Construction - Contract 05-S-03
Ligonier Construction Co.	\$ 3,466.12	Construction - Contract 05-S-04
Ligonier Construction Co.	\$ 3,335.25	Construction - Contract 05-S-05
First Commonwealth Bank	\$ 1,689.22	Interest during Construction
Commonwealth of PA	\$ 8,359.67	Interest during Construction
William Gleason-Barbin Esq.	\$ 518.00	Legal
William Gleason-Barbin Esq.	\$ 579.50	Legal

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

ITEMS FOR DISCUSSION:

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

Jim Sala of 159 Norlin Drive stated he would like to purchase the old sewage treatment plant adjacent to his residence, and he wanted to know what he needed to do. Solicitor Barbin stated that the Township Code required the Supervisors to put this property up for public bid.

There was a motion by Mr. Zuccolotto, seconded by Mr. Kauffman, to advertise for bids for the sale of the former sewage treatment plant on Norlin Drive. Roll call vote: Mr. Zuccolotto – yes, Mr. Kauffman – yes, and Mr. Buncich - yes. Motion carried unanimously.

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Brian Shoff wanted to know the percent of tap-ins completed for the Benscreek Sanitary Sewer Project. Mr. Zuccolotto said approximately 100 were not tapped in yet. Mr. Shoff asked the same question concerning the prior sewer project. Chairman Buncich stated there were still a few “stragglers” on that project, but the goal was to close out the current project first. Solicitor Barbin noted that even if someone was not tapped in, they were still getting billed.

Joe Stevens of Stevens Lane wanted to know the status of the McKool matter. Solicitor Barbin said the Order was issued on August 18, 2010 and Mr. McKool had 30 days to appeal it, which would be up on September 18th. He said if Mr. McKool did not appeal, the Township would move to execution, which would be a Sheriff’s Sale of the trailer park.

Mr. Stevens wanted to know who would be responsible for the dilapidated sewer system and cleaning up the leach bed in the trailer park. Solicitor Barbin stated that any legal obligation would stay with the owner.

Solicitor Barbin further stated if the Township ordered to a Sheriff’s Sale, which would cost some money payable to the Sheriff, on the day of the sale whatever number it went for was what the Township received for the debt owed. He said the Township could bid the debt and buy the trailer park, but he was not sure it was the right thing to – it was up to the Supervisors to decide. He also noted that if there was a mortgage ahead of the Township, it was paid first.

Chairman Buncich stated that before a decision would be made, the matter would be researched. Mr. Stevens wanted to know if there would be a public meeting prior to the decision. Solicitor Barbin said that any citizen had the right to comment at any Supervisors’ meeting, indicating that there would be a vote and public comment taken at that time.

Mick Jordan of Renee Drive wanted to know if the Township’s Ordinance requiring permits to move in/move out required permits to move from one residence to another within the Township. Solicitor Barbin answered yes, it was for whenever a residence was vacated. He read Section 3 in the Ordinance pertaining to that.

ANNOUNCEMENTS:

1. Trick or treat night for Conemaugh Township will be on Thursday, October 28th from 6 to 8 p.m.
2. The Supervisors will hold a Public Hearing on October 20, 2010 at 7:00 p.m. concerning the new Zoning Ordinance with the regularly scheduled Supervisors’ meeting to follow immediately after.
3. Chairman Buncich stated that for the last couple months the Township had requests concerning traffic issues in the Soap Hollow Road area and near St. David’s Church. PennDOT completed studies and the Township had installed road signs according to PennDOT’s direction. He noted that one area on Soap Hollow Road had the speed limit reduced from 35 mph to 25 mph.

ADJOURNMENT:

There was a motion by Mr. Kauffman, seconded by Mr. Zuccolotto, to adjourn the meeting at 7:53 p.m.

Submitted by,

Cindy L. Walerysiak, Secretary/Treasurer