

## MINUTES OF REGULAR MEETING OF AUGUST 20, 2008

The regular meeting of the Conemaugh Township Board of Supervisors was called to order at 7:00 p.m. on August 20, 2008 by Chairman Steven Buncich. Board members present were Steven Buncich, Chairman, Wayne Kauffman, Vice-Chairman, and Albert Zuccolotto, Assistant Secretary/Treasurer. No Solicitor was present.

Pledge to the Flag.

### FLOOR OPENED TO PUBLIC COMMENT:

None.

### NOTIFICATION OF EXECUTIVE SESSSION:

The Supervisors held an Executive Session on Tuesday, August 19, 2008 at 8:30 a.m. to discuss personnel matters.

### MINUTES:

There was a motion by Mr. Kauffman, seconded by Mr. Zuccolotto, to accept the minutes of the regular meeting of July 16, 2008 and special meeting of August 13, 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 August 2008 in the amount of \$56,353.90 for the General Fund, \$10,402.59 for the Liquid Fuels Fund, and \$52,987.68 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 July 2008 for the Conemaugh Township Police Department was available for review. Total reported incidents were 217. There was a motion by Mr. Zuccolotto, seconded by Mr. Kauffman, to accept the police report as submitted for the month of July 2008. Roll call vote: Mr. Zuccolotto – yes, Mr. Kauffman – yes, and Mr. Buncich – yes. Motion carried unanimously.

### PERSONS TO BE HEARD:

**Ron Wanko** of Jerome wanted to make a formal complaint regarding the performance of Mark Walker, the Township's Code Enforcement Officer. Mr. Wanko had housing rehabilitation work done at his residence under an assistance program through the Somerset County Redevelopment Authority in July 2008. He stated that Mr. Walker needed to understand all Township ordinances, building codes, etc. in order to make sure all regulations were met. Mr. Wanko stated that certain items completed were not up to code requirements and he felt Mr. Walker had not read the contract. Mr. Wanko wanted the Supervisors to replace Mr. Walker. He further complained about Fenton Contracting, the contractors completing the work. Mr. Wanko stated he did meet with a representative from the Somerset County Redevelopment Authority who did agree corrections were needed.

Mr. Buncich stated that there was a meeting at Mr. Wanko's residence with the Supervisors, Mr. Walker, a representative from the Somerset County Redevelopment Authority, and Fenton Contracting to review what could be done to correct the situation. He further stated that the Supervisors have heard no complaints about Mr. Walker; in fact, they heard good things about

## **MINUTES OF AUGUST 20, 2008 MEETING CONTINUED.**

him, and there would be no changes regarding Mr. Walker. A record would be made of this complaint.

### **CORRESPONDENCE:**

A letter was received from Somerset County Library submitting an invoice for the Conemaugh Township Library in the amount of \$12,357.61. There was a motion by Mr. Zuccolotto, seconded by Mr. Buncich, to contribute \$12,000.00, as budgeted, to the Somerset County Library for the Conemaugh Township branch library. Roll call vote: Mr. Zuccolotto – yes, Mr. Buncich – yes, and Mr. Kauffman – yes. Motion carried unanimously.

### **OLD BUSINESS:**

None.

### **NEW BUSINESS:**

#### **1. OPEN BIDS RECEIVED FOR 2004 CROWN VICTORIA & 2005 DODGE DURANGO POLICE CRUISERS:** The following bids were received and opened:

<b>Richard Bittner</b>	-	Crown Victoria - \$825.00
<b>Ben Haskins</b>	-	Crown Victoria - \$250.00 Durango - \$350.00
<b>Rogers Auto Sales</b>	-	Crown Victoria - \$1,880.00 Durango - \$1,880.00

(Rogers Auto Sales also submitted a bid for a cruiser not up for bid.)

**Cassandra Volunteer Fire Company** – Crown Victoria - \$805.05

<b>Yousef Dabbagh</b>	-	Crown Victoria - \$963.00 Durango - \$1,769.00
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<b>Grace Quality Used Cars</b>	-	Crown Victoria - \$650.00 Durango - \$3,550.00
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There was a motion by Mr. Zuccolotto, seconded by Mr. Kauffman, to table the above-listed bids until they could be reviewed by the Supervisors. Roll call vote: Mr. Zuccolotto – yes, Mr. Kauffman – yes, and Mr. Buncich – yes. Motion carried unanimously.

2. **APPOINTMENT OF NEW SOLICITOR:** There was a motion by Mr. Zuccolotto, seconded by Mr. Kauffman, to appoint the law firm of Gleason, McQuillan, Barbin & Markovitz as the new Solicitor to handle all Township business, including Planning Commission matters. Roll call vote: Mr. Zuccolotto – yes, Mr. Kauffman – yes, and Mr. Buncich – yes. Motion carried unanimously.

3. **HOST MUNICIPAL INSPECTORS' CONFERENCE:** There was a motion by Mr. Zuccolotto, seconded by Mr. Kauffman, to approve sending Robert Shroyer, Landfill Inspector, to the 11<sup>th</sup> Annual Fall Conference on September 3-4, 2008 for host municipal inspectors to be held in State College, PA; registration cost - \$120.00, hotel cost - \$214.84. Roll call vote: Mr. Zuccolotto – yes, Mr. Kauffman – yes, and Mr. Buncich – yes. Motion carried unanimously.

4. **CONEMAUGH TWP. SEWER DEPT. PROCEDURES AUDIT:** There was a motion by Mr. Zuccolotto, seconded by Mr. Kauffman, to approve the Agreed-Upon Procedures Audit for year ended December 31, 2007 for the Conemaugh Twp. Sewer Department as performed by Kline Kimlin, Certified Public Accountants. Roll call vote: Mr. Zuccolotto – yes, Mr. Kauffman – yes, and Mr. Buncich – yes. Motion carried unanimously.

## MINUTES OF AUGUST 20, 2008 MEETING CONTINUED.

5. **MINOR SUBDIVISION:** This subdivision plan was approved by the Conemaugh Township Planning Commission on August 6, 2008. There was a motion by Mr. Kauffman, seconded by Mr. Zuccolotto, to approve the subdivision plan of William E. King, Jr., owner and applicant, to subdivide 2.369 acre (Lot 1) from an existing 10.081 acre property of William E. King, Jr. and combine that property with the adjoining property of Adam & Linda L. Thomas; with the residue property of William E. King, Jr. containing 7.712 acres. Roll call vote: Mr. Kauffman – yes, Mr. Zuccolotto – yes, and Mr. Buncich – yes. Motion carried unanimously.

6. **MINOR SUBDIVISION:** This subdivision plan was approved by the Conemaugh Township Planning Commission on August 6, 2008, contingent upon the acceptance by PA DEP of the Sewage Facilities Planning Module or Exemption. There was a motion by Mr. Kauffman, seconded by Mr. Zuccolotto, to approve the subdivision plan of Todd M. Beahr, Theodore L. Beahr, Terry L. DuVall, owners and applicants, to subdivide a 1.20 acre parcel (Lot#1) from an existing 8.58 acre property located along S.R. 0601, adjacent to T-429, Hostetler Road; with the Residue parcel retaining 7.38 acres, contingent upon the acceptance by PA DEP of the Sewage Facilities Planning Module or Exemption. Roll call vote: Mr. Kauffman – yes, Mr. Zuccolotto – yes, and Mr. Buncich – yes. Motion carried unanimously.

7. **SEWAGE FACILITIES PLANNING MODULE:** There was a motion by Mr. Kauffman, seconded by Mr. Zuccolotto, to approve the Sewage Facilities Planning Module for the Minor Subdivision of Dolores Baker, contingent on all fees being paid. Roll call vote: Mr. Kauffman – yes, Mr. Zuccolotto – yes, and Mr. Buncich – yes. Motion carried unanimously.

8. **MINOR SUBDIVISION:** This subdivision plan was approved by the Conemaugh Township Planning Commission on August 6, 2008, contingent upon the acceptance by PA DEP of the Sewage Facilities Planning Module. There was a motion by Mr. Zuccolotto, seconded by Mr. Kauffman, to approve the subdivision plan of Dolores M. Baker, owner, and Brennan Kimmel, applicant, to create a 2.092 acre parcel (Lot No. 2) out of an existing 40.33 acre tract owned by Dolores M. Baker; with the Residue Tract retaining 38.235 acres; property located along Moonshine Hollow Road (T-680) with Baker acres Lane traversing through the property providing access from the new Lot No. 2 to Moonshine Hollow Road, contingent upon the acceptance by PA DEP of the Sewage Facilities Planning Module. Roll call vote: Mr. Zuccolotto – yes, Mr. Kauffman – yes, and Mr. Buncich – yes. Motion carried unanimously.

9. **LAND DEVELOPMENT:** This Plan was approved by the Conemaugh Township Planning Commission on August 6, 2008, contingent upon compliance with the items listed in the letter from Josh Kalp of The EADS Group dated July 21, 2008, and the items listed in the letter from Mark Walker dated August 6, 2008. There was a motion by Mr. Kauffman, seconded by Mr. Zuccolotto, to approve the Land Development Plan as submitted by Alleghenies Christian Ministries (Laurel View Village), for the construction of a Community Center and Independent Living Apartment facility; the plan indicates a total of 283 living units with associated parking and access roadways, with 55 units in this specific addition, contingent upon compliance with the items listed in the letter from Josh Kalp of The EADS Group dated July 21, 2008, and the items listed in the letter from Mark Walker dated August 6, 2008. Roll call vote: Mr. Kauffman – yes, Mr. Zuccolotto – yes, and Mr. Buncich – yes. Motion carried unanimously.

At this point, Mr. Zuccolotto noted that the Township received a letter from the Conemaugh Township Municipal Authority stating that the water supply was there for the new building at

## **MINUTES OF AUGUST 20, 2008 MEETING CONTINUED.**

Laurel View Village; all tests were passed. The residents present at the meeting were not satisfied with this. Mr. Buncich stated that this was a statement issued from CTMA so that Mark Walker, the Township's Code Enforcement Officer, could issue the occupancy permit to Laurel View.

Mr. Maldet stated that if the Township issued building permits, then the Township was "on the hook" for life threatening situations. Mr. Buncich stated that Laurel View had recently purchased a water tank and pump to be installed in case of fire. The residents were concerned that the water from this tank would only support the sprinkler systems and nothing else. Mr. Walker stated that everything had been tested and the water flow readings were taken at a high usage period and requirements were met; the fire suppression system was in place and properly tested.

Joe Marisa, Jr. said he felt everyone was concerned that if Laurel View was on fire and if two neighboring houses would catch fire also, one would burn, putting residents and firemen in jeopardy. Mr. Buncich stated that would be something that needed to be addressed by CTMA.

### **ITEMS FOR DISCUSSION:**

1. **TIRE HILL PHASE II BENSCREEK SANITARY SEWER PROJECT** – Mr. Buncich stated that the Supervisors and legal firm received a packet of bid tabulations for this project from The EADS Group and a meeting would be scheduled in order to review this information.

Mr. Zuccolotto stated that the bids received for this project had been opened and tabled. The proposed project areas were split out for the bidding process so that the Supervisors could "tweak" the project as necessary so that the sewer rates would be reasonable. Mr. Zuccolotto said that the audit on the sewer department was not "pretty", and it was available for public review. He further noted that the user fees needed to meet the debt obligation.

### **ANNOUNCEMENTS:**

1. The next regularly scheduled meeting of the Township Supervisors will be held on Wednesday, September 17, 2008 at 7:00 p.m.

### **ADJOURNMENT:**

There was a motion by Mr. Kauffman, seconded by Mr. Zuccolotto, to adjourn the meeting at 7:34 p.m.

Submitted by,

Cindy L. Walerysiak, Secretary/Treasurer