

MINUTES OF REGULAR MEETING OF SEPTEMBER 16, 2009

The regular meeting of the Conemaugh Township Board of Supervisors was called to order at 7:00 p.m. on September 16, 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:

Rich Maldet of Fernwood Drive asked if the Supervisors were going to inform the audience about Item J on the Agenda (Ethics Commission matter). He was answered, yes.

Joe Stevens of Stevens Lane requested an update on all potential lawsuits regarding the Township. Solicitor Barbin stated he would prepare an updated listing in writing for the next meeting.

Joyce Graham of Thomas Mills asked what the Supervisors were going to do about rundown properties after letters were sent. Chairman Buncich stated that a process needed to be followed; first was sending out letters, of which some were returned. He noted that some were ready to take to the magistrate level. Ms. Graham stated that the letter for the property at 848 Lost Valley Drive, her neighbor, was sent to the previous owner, and felt the Township should research who the mortgage company was since they were responsible for this property. Chairman Buncich stated that each situation was different and the Township's Code Enforcement Officer was handling this. Mr. Zuccolotto said it would be interesting to see how things turn out at the magistrate—the Supervisors were waiting to see how it goes.

NOTIFICATION OF EXECUTIVE SESSSION:

The Supervisors met on September 9th with the Township Solicitor, Codes Officer, EADS and DL Development to discuss Hillcrest Avenue.

MINUTES:

There was a motion by Mr. Zuccolotto, seconded by Mr. Kauffman, to accept the minutes of the regular meeting of August 19, 2009. Roll call vote: Mr. Zuccolotto – yes, Mr. Kauffman – 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 2009 in the amount of \$51,532.52 for the General Fund, \$7,054.81 for the Liquid Fuels Fund, \$90,768.98 for the Sewer Fund (operating expenses), and \$1,070,090.89 (Phase II project expenses). 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 August 2009 for the Conemaugh Township Police Department was available for review. Total reported incidents/complaints were 252. There was a motion by Mr. Zuccolotto, seconded by Mr. Kauffman, to accept the police report as submitted for the month of August 2009. Roll call vote: Mr. Zuccolotto – yes, Mr. Kauffman – yes, and Mr. Buncich – yes. Motion carried unanimously.

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PERSONS TO BE HEARD:

None.

CORRESPONDENCE:

1. A letter was received from the State Ethics Commission with a check from Calvin Gindlesperger for the first payment under a payment plan approved by the Ethics Commission regarding Order No. 1522. Chairman Buncich explained that the findings regarding this matter were posted on the State Ethics Commission's website and Mr. Gindlesperger was ordered to pay back wages he received from the Township for certain hours he worked. Solicitor Barbin said the hours to be paid back were for administrative work not roadmaster work.

OLD BUSINESS:

1. **NEWMAN INVOICE:** Decision on George Newman contest of an invoice received from the Jerome Volunteer Fire Company. Mr. Zuccolotto felt the charges were not out of line, after checking with other fire companies; but possibly a charge for one personal vehicle could be removed—was it fair to charge for two personal vehicles. He cautioned the Supervisors to be careful what they decided to do. Chairman Buncich stated this could be tabled again. Mr. Zuccolotto said a decision was needed tonight. Solicitor Barbin noted that there were charges for one fire company vehicle and two personal vehicles. Brian Shoff, resident and fire company member, stated that the two personal vehicles were fire police who were needed at each end of the accident scene for traffic control.

There was a motion by Mr. Zuccolotto, seconded by Mr. Buncich, to approve the charges as billed to George Newman by the Jerome Volunteer Fire Company. Roll call vote: Mr. Zuccolotto – yes, Mr. Buncich – yes, and Mr. Kauffman – yes. Motion carried unanimously.

2. **HILLCREST AVENUE IMPROVEMENT PROJECT:(Lower Portion):** Chairman Buncich stated that all costs were broken out and the Supervisors were not sure all costs would apply until the design work and surveying were completed—some costs may or may not be followed through with. There was a motion by Mr. Zuccolotto, seconded by Mr. Kauffman, to approve a contract with The EADS Group for professional engineering services regarding the improvement project for the lower portion of Hillcrest Avenue, and to direct the Engineers to begin the following Basic Services: Survey & Base Map Preparation, Roadway Design, Stormwater Design, Erosion & Sedimentation Plan & Permit Application for a cost of \$10,000.00; and Additional Services of: NPDES Permit for a cost of \$5,000.00, and Rights-of-Way for a cost of approximately \$1,350.00. Roll call vote: Mr. Zuccolotto – yes, Mr. Kauffman – yes, and Mr. Buncich – yes. Motion carried unanimously.

A resident asked when this project would start. Chairman Buncich answered that the surveying should begin next week, but the paving would probably not take place until next year.

3. **HILLCREST AVENUE (Upper Portion):** Chairman Buncich stated that the Supervisors were working out details with DL Development in order for the Township to take over the upper portion of Hillcrest Avenue, which may be done this fall. A resident asked if the Township would be plowing that portion of the roadway. Chairman Buncich stated, yes, if the problems as discussed with DL Development this week were straightened out, then the road could be taken over and taken care of by the Township this fall. It was also asked if the school buses would be coming into the development. Chairman Buncich stated that the school bus

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company had some reservations about going up there, but they said that once they received a letter from the Supervisors indicating that the Township took over that road, then they would reassess the situation. Another question was whether the mail would be delivered to the development. Chairman Buncich answered that as soon as the Township would take over that upper portion of Hillcrest Avenue, the Township would have to issue a letter to the Postal Service and they would begin delivery of the mail to the development.

4. **CRESPO CONTRACTS:** Chairman Buncich stated that Mr. Crespo was at last month's meeting proposing contracts for geese control and dogs and animals within the Township; but the Supervisors had not met any further with him, therefore, he felt the Supervisors were not prepared to make a motion this time. He suggested to table this matter and that a meeting be set up as soon as possible with Mr. Crespo.

NEW BUSINESS:

1. **TRICK OR TREAT NIGHT:** Chairman Buncich stated that traditionally this date was adjusted with the schedules of the School District, but it seemed every year the Supervisors could not please everyone. Ernest Spory, Township Emergency Management Coordinator, wanted to suggest for next year that the trick or treat be set on a Saturday or Sunday afternoon for the safety and security of the children, noting that it was hard to control the roadways during the night and stating that other municipalities were already doing this. Chairman Buncich said that Halloween was on a Saturday this year and according to the school calendar, there were tentative soccer playoffs that day and football on Friday. There was a motion by Mr. Zuccolotto, seconded by Mr. Kauffman, to set trick or treat night in the Township on October 31st from 1 to 3 in the afternoon. Roll call vote: Mr. Zuccolotto – yes, Mr. Kauffman – yes, and Mr. Buncich – yes. Motion carried unanimously. Chairman Buncich noted this would be on a trial basis to see what feedback would be received from the residents.

2. **FOREIGN FIRE RELIEF FUND DISTRIBUTION:** Chairman Buncich stated that the amount received of \$37,545.72 was a decrease from what was received last year. He said that in prior years there had been two different set ups, one where these funds were split evenly between the four fire companies and one where Hollsopple Fire Company received less due to them receiving funds from other municipalities. Mr. Zuccolotto explained that during the twelve years he was Supervisor before, the other fire companies said they were four equal fire companies so everyone should split their foreign fire relief funds equally, but Hollsopple Fire Company refused. He said, therefore, the distribution of the Township's relief funds had been set to where 29% went to Conemaugh Township Fire Company, Jerome Fire Company and Ideal Fire Company each and 13% went to Hollsopple Fire Company. Mr. Zuccolotto felt that this percentage distribution was fair.

Brian Shoff asked if this could be tabled until the Fire Services Review Committee met with the individual from DCED to see what was going to be done. Solicitor Barbin stated, no, that the relief funds were required to be distributed as soon as possible. Mr. Buncich said the Supervisors could see where things were next year—if there were any changes. Mr. Shoff asked Chairman Buncich if he had heard anything from DCED about setting up a meeting. Chairman Buncich stated he had been calling the individual at DCED twice a week, and he had been returning his calls up until two weeks ago. He felt this may have something to do with the State budget not being passed.

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There was a motion by Mr. Kauffman, seconded by Mr. Zuccolotto, to distribute the 2009 Foreign Fire Relief Funds in the amount of \$37,545.72 as follows: 29% to the Krings Volunteer Firemen Relief Association (CT Fire Co.) - \$10,888.26; 29% to the Ideal Volunteer Fire Company Firemen's Relief Association - \$10,888.26; 29% to the Jerome Volunteer Firemen's Relief Association - \$10,888.26; and 13% to the Community Volunteer Fire Company of Hollsopple Relief Association - \$4,880.94. Roll call vote: Mr. Kauffman – yes, Mr. Zuccolotto – yes, and Mr. Buncich – yes. Motion carried unanimously.

3. **MINOR SBUDIVISION:** This plan was approved by the Conemaugh Township Planning Commission on September 2, 2009, pending favorable response from the Somerset County Planning Commission, which has been received. There was a motion by Mr. Zuccolotto, seconded by Mr. Kauffman, to approve the subdivision plan of William E. King, Jr., owner, and applicant, to subdivide 4.836 acres (Lot 2) from an existing 7.712 acre property of Mr. King and combine that property with the adjoining property of Kathleen A. Howrylak and Jeffrey L. Marshall, with the residue King property containing 2.876 acres, and the revised size of the Howrylak/Marshall property increasing to 23.914 acres. 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 gave an update as follows:

Contract 05-S-01 – Tire Hill STP Dewatering Building – General – In the beginning of June 2009 they did a preliminary start up, and this past Thursday there was a final start up for the belt filter press, which ran fine. The belt stayed in alignment. There was one punch list item remaining, which the contractor addressed. The belt filter press is running properly as designed. EADS was recommending Substantial Completion for this Contract.

Mr. Zuccolotto asked if there was a year warranty. Mr. Kalp answered, yes; there was a one year guarantee warranty. Eleven months from now he would contact the Supervisors to make sure everything was still good. If there were issues discovered, the contractor would be responsible to make the necessary repairs. Mr. Reilly of EADS also stated that if there would be any issues from now to the end of the eleven month time period, EADS should be notified and they would contact the contractor.

Contract 05-S-02 – Tire Hill STP Dewatering Building – 100% complete – closed out.

Contract 05-S-03 – Area A (Benscreek to Frosty Freeze) – 31, 100 LF of sewer line has been installed. The Contractor was currently working in the Leslie Drive/Stow Lane/Stuver Lane area. They were not presently working on Route 403. They planned to get two additional crews together to ramp up their production. Restoration was ongoing. EADS was still evaluating the 60 day time extension request. Mr. Kalp should have this evaluation to the Supervisors sometime this week.

Contract 05-S-04 – Area B (Frosty Freeze to entrance of North Fork County Club) - There has been little production in this area this month. The contractor was concentrating on State road work before the paving season was up. They only installed a few hundred feet of sewer line in this area this month.

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Contract 05-S-05 – Area C (Country Club Road to Thomas Mills) - This was the main area of concentration for the contractor this past month. They are working in the Moonlite Park Road, Pike View Drive, Route 985, and the Bowser Lane area. Per discussion with the contractor today, almost all restoration was complete from the intersection of Moonlite Park Road and Route 985 to Thomas Mills. If there were any complaints in that area, EADS should be made aware of them.

Mr. Zuccolotto asked about the extra crews to be added. Mr. Kalp explained that the contractor currently had working three pipe crews, one boring crew, one clearing crew, two restoration crews, and one intermittent testing crew, and was looking to add extra pipe crews to the job. Mr. Zuccolotto wanted to know if this would add cost to the project or would that shorten the project and offset the cost. Mr. Reilly stated that it would increase production, and that the contractor was being paid unit prices—it was a “Unit Price Contract”, therefore the cost of the project would not increase.

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 \$852,270.22:

<u>Payee</u>	<u>Total</u>	<u>Description</u>
Gordon L. DeLozier, Inc.	\$ 41,773.28	Construction - Contract 05-S-01
Ligonier Construction Co.	\$323,844.31	Construction - Contract 05-S-03
Ligonier Construction Co.	\$ 6,731.74	Construction - Contract 05-S-04
Ligonier Construction Co.	\$446,296.47	Construction - Contract 05-S-05
EADS Group, Inc.	\$ 25,985.82	A/E Fees – Inspection
EADS Group, Inc.	\$ 1,638.60	Administration
EADS Group, Inc.	\$ 6,000.00	A/E Fees - Basic Design

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

3. **SUBSTANTIAL COMPLETION – CONTRACT 05-S-01:** There was a motion by Mr. Kauffman, seconded by Mr. Zuccolotto, to approve the Contractor’s request for Substantial Completion for Contract 05-S-01 – Tire Hill STP Dewatering Building-General. Roll call vote: Mr. Kauffman – yes, Mr. Zuccolotto – yes, and Mr. Buncich – yes. Motion carried unanimously.

ITEMS FOR DISCUSSION:

None.

At this point, Chairman Buncich asked if there were any more comments.

Dennis Mizak requested an update on sewer lines being installed further up Lost Valley Drive. Chairman Buncich said that the engineers had worked out some numbers, but the Supervisors needed to wait until the project was further along to see where the costs were. Mr. Zuccolotto stated that he was coming up to that area with John to talk with Mr. Mizak and to look where the line was, noting that there were eleven properties involved. He said he wanted to see where these properties were and then this would be further evaluated. Mr. Mizak stated that when the project was laid out it was to go up Govier Lane to the top, which was cut out. He wanted to know where the pipe was going if almost 8/10 of a mile was cut out, and they needed only about ½ mile of pipe to get all four of the homes on Lost Valley Drive in. Mr. Zuccolotto stated that was why the Supervisors were looking at their area along with others, noting that more than that was taken out of the project. Chairman Buncich stated that the Supervisors needed to consider

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that the length of pipe was eliminated to reduce the cost of the project and ultimately reduce the monthly fees to the customers. He said this needed to be evaluated further, indicating that the Supervisors did not want to raise monthly fees for the users already on the project just to serve a few homes. Mr. Mizak wanted to know how one mile and 1/3 going up North Fork at a price of \$88,000 per house fit in. Chairman Buncich stated he did not think the cost was that high. Mr. Kalp said an estimate would be approximately \$20,000 per home in that area. He further stated he would get the Supervisors a map and supply the information needed for them to go look at the Lost Valley Drive area. Mr. Zuccolotto said some homes in this area were on out further who did not want sewer, so the Supervisors could be putting the cost up by extending out to them. He said a group may be able to be taken in and not have to go to those other homes. Mr. Mizak asked when the Supervisors would be out. Mr. Zuccolotto said possibly Thursday; John needed to contact him yet, but he assured Mr. Mizak he would let him know so he could be there also. He said the Supervisors were working on it, and possibly they could trim things down by cutting out the homes further back.

Rich Maldet stated the contractor did a good job on paving Glessner Road and asked when they would be paving Fernwood Drive which was in bad condition. Chairman Buncich said that road would not be paved in conjunction with the sewer project, noting that the Supervisors needed to evaluate the roads that were most heavily traveled and look at the conditions of the roads. Mr. Mizak also asked when the bottom of Lost Valley Drive would be paved. Chairman Buncich stated he had talked to the contractor yesterday and they needed to have everything that needed to be paved done by October 30th—they were concentrating on getting this done. He would check again with the contractor and may have an answer when they would be doing that particular road.

ANNOUNCEMENTS:

1. The next regularly scheduled meeting of the Township Supervisors will be held on Wednesday, October 21, 2009 at 7:00 p.m.

ADJOURNMENT:

There was a motion by Mr. Kauffman, seconded by Mr. Zuccolotto, to adjourn the meeting at 7:36 p.m.

Submitted by,

Cindy L. Walerysiak, Secretary/Treasurer