The regular monthly meeting of the Rostraver Township Board of Commissioners was called to order on this date by President, Austin A. Cratty at 7:00 p.m. in the Rostraver Township Municipal Building.

Members present were:

- Karren A. Markle
- Brian L. Sokol
- Donald M. Yoder
- Andrew S. Temoshenka
- Austin A. Cratty

Solicitor Ashbaugh, Engineer DeiCas, Chief Resetar & Secretary Laskey were also present.

Pledge of Allegiance was led by Austin A. Cratty, the audience participating.

Karren A. Markle moved that there being no correction or additions to the Monthly Meeting minutes of February 4, 1998 and Special Meeting of February 25, 1998 the minutes stand approved as read. Brian L. Sokol seconded the motion. The following yea and nay votes were recorded:

- Karren A. Markle - yea
- Brian L. Sokol - yea
- Donald M. Yoder - yea
- Austin A. Cratty - yea
- Andrew S. Temoshenka - yea

Total yeas - 5; nays - 0

COMMITTEE REPORTS:

Chairman of Roads, Streets, and Equipment, Brian L. Sokol reported that thanks to the mild winter, the Road Department had been able to concentrate on up-grading and replacing guardrails, cold patching roads, berming road shoulders and cleaning ditch lines. Commissioner Sokol stated that each and every inlet and waterway within Rostraver Township will be cleaned and cleared of all brush and debris in order to avoid preventable water runoff problems. We are anticipating above average rainfall this spring due to "El Nino", therefore we want to be prepared. Commissioner Sokol announced that the Municipal Authority of Westmoreland County was in the process of installing the three (3) fire hydrants in the Quinto Manor. Work will be completed on the three (3) hydrants by Thursday, March 5th. The paving project for Quinto Manor will be put out for bid, with the bids due in by March 25, 1998. Commissioner Sokol also reported that he had met with PennDOT officials on Friday, February 13th regarding PennDOT"s delay in salting Route 51 during a recent snowfall. It was a positive meeting and all problems were solved. Commissioner Sokol was happy to announce that an agreement had been reached, and PennDOT assured him that this would not happen again.

Chairman of Public Safety, Andrew S. Temoshenka reported the following for the month of February, 1998/to date respectively: criminal arrests 76/164; non-traffic citations 52/101; traffic citations issued 118/182; parking tags issued 2/2; written warnings 44/82; total number of incidents 928/1,922; total miles driven 14,153/29,899.
Chairman of Budget and Finance, Austin A. Cratty reported as of February 28, 1998 a balance of $41,196.89 in checking and $687,890.35 in certificates of deposits for total assets of $729,087.24. Revenues and other financing sources $178,690.83; expenditures $77,952.18; debt principal and interest $650,313.00; and police pension fund assets $2,574,767.31. Chairman Cratty stated that anyone wishing to see a breakdown, can come to the office at any time.

Chairman of Parks and Recreation, Donald M. Yoder reported that baseball signups were held on February 13th and 14th, with 450 kids signing up for the program. There will be three (3) pony league teams, five (5) little league teams, six (6) minor league teams, twelve (12) t-ball teams and two (2) colt league teams. The Van Meter field will have to be brought up to grade. Fence has been ordered and work will proceed on this field for the pony league teams.

Chairman of Health and Welfare, Karren A. Markle reported that a meeting was held with the residence of Leeper, Lutz Run and Todd Farm Roads regarding their waterline project. The contractor for that project is Jim Britton. The project will begin this month. The materials for the project should start arriving on site within a few weeks. Commissioner Markle will continue working on water projects.

Township Engineer, Carl DeiCas, reported 14 permits issued in February, 1998 for 3 new residential homes, 1 residential garage, 1 residential addition, 2 new roofs, 1 deck, 3 signs, 1 temporary trailer, 1 demolition and 1 variance. The total estimated construction value for the month of February, 1998 - $406,450.00. Total construction value for 1998: $1,303,050.00.

Attorney Ashbaugh said there was no Solicitors report to be given at this meeting.

PETITIONS, RESOLUTIONS, ORDINANCES:

David Brown presented a petition, which was not accepted because it was not notarized.

PUBLIC HEARING.- Dispensing with the regular order of business, President Cratty declared this portion of the meeting to conduct a Public Hearing on the subject of a zoning change.

Ignatius J. Matus requested a change from "A-1 Agricultural" to "B-2 Retail Business". The property is located between Route 51 North and Route 51 South being Tax Map No. 56-6-45 having 4.23 acres. The proposed use is for a medical office.

There were no comments made either for or against the change.

Karren A. Markle moved to close the Public Hearing in the case of Ignatius J. Matus. Donald M. Yoder seconded the motion. The following yea and nay votes were recorded:

<table>
<thead>
<tr>
<th>Yea</th>
<th>Nay</th>
</tr>
</thead>
<tbody>
<tr>
<td>Karren A. Markle</td>
<td>- yea</td>
</tr>
<tr>
<td>Brian L. Sokol</td>
<td>- yea</td>
</tr>
<tr>
<td>Andrew S. Temoshenka</td>
<td>- yea</td>
</tr>
<tr>
<td>Donald M. Yoder</td>
<td>- yea</td>
</tr>
<tr>
<td>Austin A. Cratty</td>
<td>- yea</td>
</tr>
</tbody>
</table>

Total yeas - 5; nays - 0

Karren A. Markle moved that the proposed Zoning Change from "A-1 Agricultural" to "B-2 Retail Business" be approved as recommended by the Planning and Zoning Commission. Donald M. Yoder seconded the motion. The following yea and nay votes were recorded:
BILL NO. 369, ORDINANCE NO. 369, introduced by Karren A. Markle, was given a first reading by Solicitor Ashbaugh, amends Ordinance No. 300, the Zoning Ordinance.

An Ordinance Amending Ordinance No. 300 the Zoning Ordinance of the Township of Rostraver, Amending Zoning Regulations for the Township of Rostraver, and Amending the Township of Rostraver Zoning Map.

WHEREAS, the Township of Rostraver Planning and Zoning Commission has proposed amendments to the Township of Rostraver Zoning Ordinance No. 300 and the Township of Rostraver Zoning Map dated August 1970, and

WHEREAS, said Commission has conducted a Public Hearing, after due notice, in accordance with the Pennsylvania Municipality's Planning Code of 1968, as amended, and has thereafter recommended to the Board of Commissioners, Township of Rostraver, the amendments to the Township of Rostraver Zoning Ordinance, which are the subject of this amended Ordinance, and

WHEREAS, the Board of Commissioners of the Township of Rostraver has held a Public Hearing in accordance with Section 20.7 of Ordinance No. 300, after due notice, and

WHEREAS, the Board of Commissioners of the Township of Rostraver deems the amendment hereinafter set forth in conformity with the objectives of the Township's Community Development and the objectives of Ordinance No. 300.

NOW, THEREFORE, it is hereby ordained by the Board of Commissioners of the Township of Rostraver in Regular Meeting assembled as follows:

The Township of Rostraver Zoning Ordinance No. 300 and Zoning Map dated August 1970, and adopted in Section 201 as part of Ordinance No. 114 are hereby amended in the following respects:

1. The area of land described on Schedule "A" attached hereto and made a part hereof by reference thereto is hereby changed and amended from "A-1 Agricultural" to "B-2 Retail Business".

2. The Township of Rostraver Zoning Map dated August 1970, copy of which is attached hereto and made a part hereof by reference thereto, as amended, is hereby changed in order to reflect the amendments set forth in Paragraph 1 of this Ordinance and the Township of Rostraver Engineer is directed to make the appropriate changes on said Zoning Map.

Karren A. Markle moved to waive the final reading of Bill No. 369, Ordinance No. 369. Donald M. Yoder seconded the motion. The following yea and nay votes were recorded:

Karren A. Markle - yea  Donald M. Yoder - yea
Brian L. Sokol - yea     Austin A. Cratty - yea
Andrew S. Temoshenka - yea

Total yeas - 5; nays - 0
Kan-en

A. Markle moved Title to Bill No. 369, Ordinance No. 369 be accepted as read. Donald M. Yoder seconded the motion. The following yea and nay votes were recorded:

Karren A. Markle - yea
Brian L. Sokol - yea
Andrew S. Temoshenka - yea
Donald M. Yoder - yea
Austin A. Cratty - yea

Total yeas - 5; nays - 0

Kareen A. Markle moved Ordinance No. 369 be adopted as read. Donald M. Yoder seconded the motion. The following yea and nay votes were recorded:

Karren A. Markle - yea
Brian L. Sokol - yea
Andrew S. Temoshenka - yea
Donald M. Yoder - yea
Austin A. Cratty - yea

Total yeas - 5; nays - 0

ORDAINED AND ENACTED into Ordinance this 4th day of March, 1998. Board of Commissioners. Township of Rostraver. BY: Austin A. Cratty, President. ATTEST: Richard S. Laskey, Secretary

BILL NO. 370, ORDINANCE NO. 370, introduced by Austin A. Cratty, was given a first reading by Solicitor Ashbaugh, is an Ordinance amending and replacing Ordinance No. 318.

An Ordinance of the Township of Rostraver, County of Westmoreland, Pennsylvania, amending and replacing Ordinance No. 318, pursuant to Section 508 of the Insurance Company Law of 1921 (40 P.S. 638), as amended by Act 98 of 1992 and Act 93 of 1994, providing that in certain fire losses the insurance company, association or exchange shall transfer insurance proceeds to a designated officer of the Municipality as a portion of the insurance proceeds to be held as security against the total cost of removing, repairing, or securing the damaged building, providing for fees, providing for penalties for violation and setting forth procedures and requirements pertaining to such insurance proceeds and to the implementation of Section 508 of the Insurance Company Law of 1921 (40 P.S. 638), as amended by Act 98 of 1992 and Act 93 of 1994, in the Township of Rostraver.

WHEREAS, the Commonwealth of Pennsylvania enacted Act 98 of 1992 effective on September 7, 1992, as amended by Act 93 of 1994, amending Section 508 of the Insurance Company Law of 1921 (40 P.S. 638) to provide procedures for the payment of certain fire loss claims; and

WHEREAS, it is the purpose of said legislation to deter the commission of arson and related crimes, to discourage the abandonment of property, and to prevent urban blight and deterioration; and

WHEREAS, the Township of Rostraver adopted Ordinance No. 318 on July 1, 1996 pursuant to Act 98 of 1992 and Section 508 of the insurance Company Law of 1921 (40 P.S. 638), which provides for the payment of proceeds from certain fire loss claims to the Municipality; and

WHEREAS, the Township of Rostraver desires to amend and replace its Ordinance No. 318 so that it is in compliance with Section 508 of the Insurance Company Law of 1921 (40 P.S. 638), as amended thus far by Act 98 of 1992 and Act 93 of 1994, and as may be amended in the future:
It is THEREFORE ORDAINED and ENACTED by the Township of Rostraver that Ordinance No. 318 is amended and replaced as follows:

SECTION I

The Township of Rostraver hereby appoints the Township Secretary as the designated officer who is authorized to carry out all responsibilities and duties stated herein.

SECTION II

No insurance company, association or exchange (hereinafter the "Insuring Agent") doing business in the Commonwealth of Pennsylvania shall pay a claim of a named insured for fire damage to a structure located within the Township of Rostraver (hereinafter the "Municipality") where the amount recoverable for the fire loss to the structure under all policies exceeds Seven Thousand Five Hundred Dollars ($7,500), unless the Insuring Agent is furnished by the municipal treasurer with a municipal certificate pursuant to Section 508(8) of the Insurance Company Law of 1921, as amended (and unless there is compliance with Section 508 (C) and (D) the Insurance Company Law of 1921, as amended, and the provisions of this Ordinance).

SECTION III

Where pursuant to Section 508(B) (1) (i) of, the Insurance Company Law of 1921, as amended, the municipal treasurer issues a certificate, or at the discretion of the Municipality a verbal notification which shall be confirmed in writing by the Insuring Agent, indicating that there are no delinquent taxes, assessments, penalties or user charges against real property, the Insuring Agent shall pay the claim of the named insured, provided however, that if the loss agreed upon by the named insured and the Insuring Agent equal or exceeds 60 percent of the aggregate limits of liability on all fire policies covering the building or other structure, the following procedures must be followed:

1. The Insuring Agent shall transfer from the insurance proceeds to the designated officer of the Municipality in the aggregate of $2,000 for each $15,000 of a claim and for each fraction of that amount of a claim, this section to be applied such that if the claim is $15,000 or less, the amount transferred to the Municipality shall be $2,000; or

2. If at the time of a loss report, the named insured has submitted a contractor's signed estimate of the costs of removing, repairing or securing the building or other structure, in an amount less than the amount calculated under the foregoing transfer formula, the Insuring Agent shall transfer to the Municipality from the insurance proceeds the amount specified in the estimate.

3. The transfer of proceeds shall be on pro rata basis by all companies, associations or exchanges insuring the building or other structure.

4. After the transfer, the named insured may submit a contractor's signed estimate of the costs of removing, repairing or securing the building or other structure, and the designated officer shall return the amount of the funds transferred to the Municipality in excess of the estimate to the named insured, if the Municipality has not commenced to remove, repair or secure the building or other structure.

5. Upon receipt of proceeds under this section, the Municipality shall do the following:
(a) The designated officer shall place the proceeds in a separate fund to be used solely as security against the total costs of removing, repairing, or securing the building or structure which are incurred by the Municipality. Such costs shall include, without limitation, any engineering, legal or administrative costs incurred by the Municipality in connection with such removal, repair or securing of the building or any proceedings related thereto; and

(b) It is the obligation of the Insuring Agent when transferring the proceeds to provide the Municipality with the name and address of the named insured. Upon receipt of the transferred funds and the name and address of the named insured, the designated officer shall contact the named insured, certify that the proceeds have been received by the Municipality and notify the named insured that the procedures under this subsection shall be followed; and

(c) When repairs, removal or securing of the building or other structure have been completed in accordance with all applicable regulations and orders of the Municipality and the required proof of such completion received by the designated officer, and if the Municipality has not incurred any costs for repairs, removal or securing, the fund shall be returned to the named insured. If the Municipality has incurred costs for repairs, removal or securing of the building or other structure, the costs shall be paid from the fund and if excess funds remain, the Municipality shall transfer the remaining funds to the named insured; and

(d) To the extent that interest is earned on proceeds held by the Municipality pursuant to this section, but not returned to the named insured, such interest shall belong to the Municipality. To the extent that proceeds are returned to the named insured, interest earned on such proceeds shall be distributed to the named insured at the time that the proceeds are returned.

(6) Nothing in this section shall be construed to limit the ability of the Municipality to recover any deficiency. Furthermore, nothing in this subsection shall be construed to prohibit the Municipality and the named insured from entering into an agreement that permits the transfer of funds to the named insured if some other reasonable disposition of the damaged property has been negotiated.

SECTION IV

The Township of Rostraver may by Resolution adopt procedures and regulations to implement the Insurance Company Law of 1921, as amended, and this Ordinance, and may by Resolution fix reasonable fees to be charged for municipal activities or services provided pursuant to the Insurance Company Law of 1921, as amended, and this Ordinance; including, but not limited to, issuance of certificates and bills, performance of inspections and opening separate fund accounts.

SECTION V

Any owner of property, any named insured or any Insuring Agent who violates this Ordinance shall be subject to a penalty of up to $1,000.00 per violation.
SECTION VI

The provisions of this Ordinance shall be severable and, if any of the provisions hereof shall be held to be invalid or unenforceable, the remaining provisions of this Ordinance shall remain in effect.

SECTION VII

All provisions or parts of Ordinances conflicting with any of the provisions of this Ordinance are hereby repealed insofar as same affects this Ordinance.

SECTION VIII

This Ordinance shall become effective immediately and a copy shall be filed with the Pennsylvania Department of Community and Economic Development, together with the name, position and phone number of the designated officer.

Brian L. Sokol moved to waive the final reading of Bill No. 370, Ordinance No. 370. Karren A. Markle seconded the motion. The following yea and nay votes were recorded:

Karren A. Markle - yea  Donald M. Yoder - yea
Brian L. Sokol - yea  Austin A. Cratty - yea
Andrew S. Temoshenka - yea

Total yeas - 5; nays - 0

Karren A. Markle moved Title to Bill No. 370, Ordinance No. 370, be accepted as read. Brian L. Sokol seconded the motion. The following yea and nay votes were recorded:

Karren A. Markle - yea  Donald M. Yoder - yea
Brian L. Sokol - yea  Austin A. Cratty - yea
Andrew S. Temoshenka - yea

Total yeas - 5; nays - 0

Karren A. Markle moved Ordinance No. 370 be adopted as read. Donald M. Yoder seconded the motion. The following yea and nay votes were recorded:

Karren A. Markle - yea  Donald M. Yoder - yea
Brian L. Sokol - yea  Austin A. Cratty - yea
Andrew S. Temoshenka - yea

Total yeas - 5; nays - 0

ORDAINED AND ENACTED into Ordinance this 4th day of March, 1998. Board of Commissioners. Township of Rostraver. BY: Austin A. Cratty, President. ATTEST: Richard S. Laskey, Secretary.

UNFINISHED BUSINESS:

Brian L. Sokol moved that the Stephen D. Morgan Land Development be approved as recommended by the Planning and Zoning Commission. A request for a land development of 1.35 acres. Property is located at the corner of Anderson Street and Route 906 in Webster being Tax Map No. 56-08-02-003. The proposed use is an addition to an existing commercial building. Andrew S. Temoshenka seconded the motion. The following yea and nay votes were recorded:
Karren A. Markle - yea  
Brian L. Sokol - yea  
Andrew S. Temoshenka - yea

Total yeas - 5; nays - 0

Brian L. Sokol moved to name McDonald Engineering as Engineer for Rostraver Township for two (2) years. It is also understood that Neillan Engineers, Inc. will serve as consultants to the Township Engineer (at no retainer fee), when the Township Engineers deems it necessary. Karren A. Markle seconded the motion. The following yea and nay votes were recorded:

Karren A. Markle - yea  
Brian L. Sokol - yea  
Andrew S. Temoshenka - yea

Total yeas - 5; nays - 0

NEW BUSINESS:

Karren A. Markle moved all bills presented be approved/ratified for payment. Brian L. Sokol seconded the motion. The following yea and nay votes were recorded:

Karren A. Markle - yea  
Brian L. Sokol - yea  
Andrew S. Temoshenka - yea

Total yeas - 5; nays - 0

Brian L. Sokol moved to approve signing the Service Agreement dated February 17, 1998 with DeLattre Corporation for the Municipal Complex Heating, Ventilation and Air Conditioning Equipment. Andrew S. Temoshenka seconded the motion. The following yea and nay votes were recorded:

Karren A. Markle - yea  
Brian L. Sokol - yea  
Andrew S. Temoshenka - yea

Total yeas - 5; nays - 0

Brian L. Sokol moved to approve placing an advertisement in the Pennsylvania State Association of Township Commissioners 1998 Yearbook at a cost of $250.00. Donald M. Yoder seconded the motion. The following yea and nay votes were recorded:

Karren A. Markle - yea  
Brian L. Sokol - yea  
Andrew S. Temoshenka - yea

Total yeas - 5; nays - 0

Karren A. Markle moved to approve advertising for bids for a front end rotary lawn tractor. Donald M. Yoder seconded the motion. The following yea and nay votes were recorded:
Brian L. Sokol moved to advertise for the position of laborer for the Road Department. Applications will be accepted from Monday, March 16th through Friday, March 20th. Karren A. Markle seconded the motion. The following yea and nay votes were recorded:

Karren A. Markle - yea  
Brian L. Sokol - yea  
Andrew S. Temoshenka - yea  

Total yeas - 5; nays - 0

Commissioner Sokol stated applications are being accepted in order to update the eligibility list for any future need of a laborer.

Brian L. Sokol moved to adjust the mechanics hourly rate to $14.95 per hour. Karren A. Markle seconded the motion. The following yea and nay votes were recorded:

Karren A. Markle - yea  
Brian L. Sokol - yea  
Andrew S. Temoshenka - yea  

Total yeas - 4; nays - 1

Commissioner Markle prior to her vote said she was voting yea because there was an oversight and due to past practices.

CORRESPONDENCE was distributed at a work session, reviewed and filed for reference.

CITIZENS TO BE HEARD:

Brian L. Sokol moved to hear from Citizens in attendance. Donald M. Yoder seconded the motion. The following yea and nay votes were recorded:

Karren A. Markle - yea  
Brian L. Sokol - yea  
Andrew S. Temoshenka - yea  

Total yeas - 5; nays - 0

Chairman Cratty stated that individuals wishing to speak must come to the microphone, give their name and address. Each individual will have three (3) minutes to address the Board.

Clint Manown, 719 Skyline Drive - Questioned when the new police cars will be put out for bid.

Jim Matson, Todd Farm Road - Said there is a pothole on Todd Farm Road near the Dill residence and also said the road near Burger King on Route 201 looks like it is caving in.
Jan Merlino, Rostraver/West Newton Ambulance Service - Inquired about the status of the zoning change for building the Pricedale substation for the ambulance service. Mr. Merlino said there would always be a garage and ambulances stationed at the Sweeney Plan building. Instead of three (3) stations, there would be four (4) stations - one (1) in South Huntingdon Township, one (1) in West Newton, one (1) in the Sweeney Plan and one (1) in Pricedale.

Angelo Fazio, Hill St. - Questioned the purchasing and cost of the police cars. Couldn’t the Township buy anything cheaper than the Crown Victoria's. He also questioned hiring more police officers thru the grant. What happens after the grant runs out? Does the Township need all these officers? Did Rostraver Township make a commitment with the developers of Rostraver Square, K Mart and Giant Eagle area to patrol their parking lots?

Al Giovannelli, Nichols Hill Road - Questioned not having to advertisement for bids when purchasing police cars and all that had to be done was sign a lease. Was anyone in the Rostraver Township community asked to furnish cars and why didn’t we get someone in our community to purchase cars from instead of going out of the town.

ADJOURNMENT:

There being no further business to be discussed Brian L. Sokol moved the Monthly Meeting be adjourned. Andrew S. Temoshenka seconded the motion. Monthly meeting was adjourned at 7:42 p.m.

Karren A. Markle - yea
Brian L. Sokol - yea
Andrew S. Temoshenka - yea
Donald M. Yoder - yea
Austin A. Cratty - yea

Total yeas - 5; nays 0

ATTEST:

Richard G. Laskey, Secretary

Austin A. Cratty, Chairman