TOWNSHIP OF ROSTRAVER

Wednesday, October 27, 1999

Minutes of A Special Meeting

A Special Meeting of the Rostraver Township Board of Commissioners was called on this date by Chairman Donald M. Yoder at 6:30 p.m., in the Rostraver Municipal Building, Rostraver, Pennsylvania.

Members present were: Austin A. Cratty Karren A. Markle Brian L. Sokol Andrew S. Temoshenka Donald M. Yoder

Solicitor Mitchel, Engineer Dei Cas and Secretary Prentice were present.

Pledge of Allegiance was led by Chairman Yoder with the audience participating.

Representative Harhai publicly thanked Congressman Mascara for allocating $350,000.00 for the Collinsburg and Fellsburg sewage project. Representative Harhai wanted to clear up rumors that he is not interested in the project. Representative Harhai read a letter that will be sent out to the residents of Collinsburg and Fellsburg.

Commissioner Temoshenka thanked Representative Harhai on behalf of the Board of Commissioners, residents of Collinsburg and Fellsburg for everything he is doing for the Township.

Commissioner Markle read a letter from Congressman Mascara concerning the $350,000.00 grant for the Collinsburg and Fellsburg Sewage project.

CHAIRMAN YODER'S LIST OF ITEMS TO DISCUSS:

1. A letter was received from PennDot regarding bridge inspections.
2. A letter was received from Department of Transportation regarding Y2K and the red lights. The Traffic Control Division checked this and all the red lights are Y2K compliant.
3. Concord Lane and Route 51 Traffic Light is ready for bid.
4. Iron Street and Gibson Street will be on the agenda next meeting for a vote. This is concerning making a one way street.
5. An Ordinance for Ridge Road speed limit change and weight limit will be on next month's agenda. Commissioner Sokol said the reason for the weight limit is so you can get the intended use of the road and the speed limit is being changed because of speeding problems.
6. Commissioner Cratty and Commissioner Yoder met with Robert Vitale from the Mon Valley Community Services concerning a public access channel where the public meetings (Commissioners, School Board, etc.) will be televed.
7. The Board of Commissioners will be advertising for Manager will be next week.
8. Chairman Yoder spoke on Smithton Beach Road. Col Floro wants this road back.
9. Commissioner Markle said the Department of Planning approved the Route 51 water project. Metz Drive will be the next project. Commissioner Markle said Indian hill needs water but there is a problem with elevation.

10. Commissioner Sokol spoke on taking over Van Meter Road.

11. Chairman Yoder asked the commissioners to make sure they read the letter from Eat 'n Park.

12. A letter was received regarding Impact fees from the developers.

13. Spoke on the Finley Road TIF program.

14. Sewage Authority Letter.

15. Commissioner Sokol spoke on the new stop sign's at Rankin's crossroads.

16. Commissioner Sokol said that Fells Church Road and Commanche Drive is a dangerous section of road and would like to see if Representative Harhai, Senator Kukovich, Congressman Mascara could do something about this road.

17. Commissioner Temoshenka said he would like to see a letter sent to Dufallo from the Board of Commissioners opposing the four (4) way stop sign at rankin's crossroad.


CITIZENS WANTING TO DISCUSS AGENDA ITEMS ONLY:

Karren A. Markle moved to hear from citizens who wish to be heard at this time on agenda items. Austin A. Cratty seconded the motion. The following yea and nay votes were recorded:

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

Total yeas - 5; nays - 0

Nick Lorenzo, Sylvan Dr. – Would like to see the Commissioners make a Resolution with PennDot on Van Meter Road stating that PennDot will fix the road if something would happen. Also would like to see the Township request a red light at Rankin’s crossroads instead of stop sign’s.

Anita Pevc, 262 Walnut Lane – Wants to tap into West Newton Sewage System instead of going with the Collinsburg sewage because her home will need a pump system and this is very costly. Mrs. Pevc wanted to know if she would still qualify for the grant money.

Walter Reed, Gibsonton – Is not in favor of making Iron Street one way.

Karren A. Markle moved to table Resolution No. 577 which transfers from State to Municipal Control, a portion of State Route 3027 (Legislative Route 64187) Van Meter Road. Andrew S. Temoshenka seconded the motion. The following yea and nay votes were recorded:

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

Total yeas – 5; nays – 0
RESOLUTION NO. 578, introduced by Andrew S. Temoshenka, is a Resolution accepting the sum of $1,000.00 from the Westmoreland County District Attorney’s Office for the purpose of enforcing the provisions of the Controlled Substance, Drug, Device & Cosmetic Act, is given a reading by Solicitor Mitchel.

Resolution of the Township of Rostraver, Westmoreland County, Pennsylvania, Rostraver Township Board of Commissioners

WHEREAS, the Westmoreland County District Attorney’s Office has conducted drug investigations that have led to the arrest, prosecution and conviction of drug traffickers and;

WHEREAS, certain sums of monies have been seized that were obtained as a direct result of drug trafficking and;

WHEREAS, the Westmoreland County District Attorney intends to distribute $1,000.00 of monies seized from drug trafficking to Rostraver Township for the purpose of enforcing the provisions of the Controlled Substance, Drug, Device & Cosmetic Act if Rostraver Township agrees to the following conditions:

1. The Township agrees to establish a separate township account into which the funds will be deposited;
2. The Township agrees to maintain an accurate record of all funds expended so that an annual accounting may be done;
3. The Township agrees to expend sums only for the enforcement of the Controlled Substance, Drug, Device & Cosmetic Act;
4. The Township agrees to provide an audit of disbursements of the account on a yearly basis.

NOW, THEREFORE BE IT RESOLVED, that the Township of Rostraver hereby agrees to accept the sum of $1,000.00 from the Westmoreland County District Attorney’s Office and agrees to accept said sum with the following conditions:

1. The Township agrees to establish a separate township account into which the funds will be deposited;
2. The Township agrees to maintain an accurate record of all funds expended so that an annual accounting may be done;
3. The Township agrees to expend sums only for the enforcement of the Controlled Substance, Drug, Device & Cosmetic Act;
4. The Township agrees to provide an audit of disbursements of the account on a yearly basis.
Brian L. Sokol moved Resolution No. 578 be adopted as read. Karren A. Markle seconded the motion. The following yea and nay votes were recorded:

Karren A. Markle – yea
Austin A. Cratty – yea
Brian L. Sokol - yea

Andrew S. Temoshenka – yea
Donald M. Yoder - yea

Total yeas – 5; nays – 0

RESOLVED this 27th day of October, 1999. Board of Commissioner. Township of Rostraver. BY: Donald M Yoder, President. ATTEST: Darlene Prentice, Secretary.

MOTIONS:

Andrew S. Temoshenka moved to declare Simaria Development Company in default of its obligation to complete J & J Lane and Mary Jane Drive Phase II, Quinto Manor Plan of Lots, Rostraver Township, Pennsylvania, and to terminate Simaria’s right to complete and seek the cost to complete from Simaria’s surety, the Township having given notice pursuant to paragraph 3.1 of Simaria’s Performance Bond dated June 26, 1999, by letter dated October 8, 1999, of the Township’s intention to default Simaria and telephone conference between Dennis Walsh of Simaria’ Surety and Brian W. Ashbaugh, Esquire, Solicitor for Rostraver Township, having been held to discuss methods of performing the contract where it was concluded that the Contractor was unable to perform and that the Township should proceed to default Simaria and terminate the contract. Brian L. Sokol seconded the motion. The following yea and nay votes were recorded:

Karren A. Markle – yea
Austin A. Cratty – yea
Brian L. Sokol - yea

Andrew S. Temoshenka - yea
Donald M. Yoder - yea

Total yeas – 5; nays - 0

Karren A. Markle moved to open and read the “Rostraver Township Refuse Collection” bid. Brian L. Sokol seconded the motion. The following yea and nay votes were recorded:

Karren A. Markle – yea
Austin A. Cratty – yea
Brian L. Sokol - yea

Andrew S. Temoshenka - yea
Donald M. Yoder - yea

Total yeas – 5; nays - 0

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<tr>
<th>Agape/Bid Bond</th>
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Karren A. Markle moved bids be tabulated for review. Brian L. Sokol seconded the motion. The following yea and nay votes were recorded:

Karren A. Markle - yea
Austin A. Cratty - yea
Brian L. Sokol - yea

Total yeas – 5; nay - 0

Austin A. Cratty moved to ratify and approve Christopher Brewer of the Law Firm of Thorp, Reed & Armstrong as Bond Counsel effective October 27, 1999 at a cost of $7,900.00. Andrew S. Temoshenka seconded the motion. The following yea and nay votes were recorded:

Karren A. Markle - yea
Austin A. Cratty - yea
Brian L. Sokol - yea

Total yeas – 5; nays - 0

Karren A. Markle moved to advertise for a traffic light at Route 51 and Concord Lane. Austin A. Cratty seconded the motion. The following yea and nay votes were recorded:

Austin A. Cratty - yea
Karren A. Markle - yea
Brian L. Sokol - yea

Total yeas – 5; nays - 0

REVIEW ITEMS:

1. Commissioners reviewed Ordinance regarding Ridge Road speed limit being reduced from 35 MPH to 25 MPH.

2. Commissioners reviewed Ordinance regarding Ridge Road weight limit.

3. Commissioners reviewed Ordinance regarding stop signs being placed on Ridge Road.

4. Commissioners reviewed Robert and Norma Jean Trombino’s Land Development. A request for land development of Tax Map No. 56-16-06-0-070. Property is located at 1049 Broad Avenue. The proposed use is for a parking lot. The Planning and Zoning Commission approved this request at their meeting October 21, 1999. This item will appear on the Board of Commissioners monthly meeting agenda November 3, 1999.

5. Commissioners reviewed Westchester Highlands Preliminary Resubdivision. A request by John Kartman to revise a previously approved subdivision of Tax Map No’s 56-08-12-00-001 through 049, 052 through 063, 065 through 075 and 101 in the Quinto Manor Plan of lots. The proposed use is to increase the size of the lots. The Planning and Zoning Commission approved this request at their meeting October 21, 1999. This item will appear on the Board of Commissioners monthly meeting agenda November 3, 1999.
Commissioner Sokol commented on the name of the development, Pawnee point. This needs to be changed because within the Township there already is a Pawnee drive.

6. Commissioners reviewed Isabell Y. Johnson Trust Subdivision. A subdivision request by Lillian Huhra of Tax Map No. 56-09-00-0-077. Property is located at the corner of Route 51 and Route 201. Lot No. 1 contains 13527.584 sq.ft. and will be added to adjacent property of Edward Huhra who is bounded on the east and south. Lot No. 2 contains 0.1413 acres and will be added to adjacent property owner Stanley Szewczyk who is bounded on the west. This subdivision is for the express purpose of yard extensions. The Planning and Zoning Commission approved this request at their meeting October 21, 1999. This item will appear on the Board of Commissioners monthly meeting agenda November 3, 1999.

7. Val’s Car Wash Sewage Facility Planning Modules were approved by the Planning and Zoning Commission at their meeting on October 21, 1999. A Resolution will be prepared and read at the Board of Commissioners monthly meeting of November 3, 1999.

Commissioner Cratty said this should go before the sewage authority first, then come before the Board of Commissioners.

Commissioner Temoshenka commented that the garbage hauler needs to know the weight limit.

CITIZENS TO BE HEARD:

Brian L. Sokol moved to hear from citizens in attendance. Karren A. Markle seconded the motion. The following yea and nay votes were recorded:

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

Total yeas – 5; nays - 0

Bob Vertacnik, 108 Wood Street – Publicly thanked Congressman Mascara for the $350,000.00 grant for the Collinsburg and Fellsburg Sewage Project.

Bill Sharp, 115 J & J Lane – Complained about the neighbor’s runoff in his yard.

Janice Oblak, 111 Wood Street – Asked about the cable contracts.

EXECUTIVE SESSION:

Brian L. Sokol moved to recess to Executive Session. Austin A. Cratty seconded the motion. The following yea and nay votes were recorded:
Reconvene from Executive Session 8:30 p.m.

ADJOURNMENT:

There being no further business to be discussed Karren A. Markle moved the meeting be adjourned. Austin A. Cratty seconded the motion. The following yea and nay votes were recorded. The meeting was adjourned at 8:55 p.m.

Austin A. Cratty – yea
Karren A. Markle – yea
Brian L. Sokol – yea

Total yeas - 5; nays - 0

ATTEST:

Darlene Prentice, Secretary

Donald M. Yoder, President