

**UPPER YODER TOWNSHIP SUPERVISORS
OCTOBER 16, 2014**

**REGULAR MEETING
MUNICIPAL BUILDING**

MEMBERS PRESENT

EDWARD BARZESKI
WILLIAM HUSTON
ROBERT AMISTADI
SCOTT HUNT
ROY SHAFFER-ABSENT

OTHERS

ROBERT SHAHADE, SOLICITOR
KEN MESKO, ENGINEER
WALTER HOWELL, CHIEF OF POLICE
PAM LONSINGER, RECORDING SECRETARY

OTHERS: Frank Sojak-Tribune Democrat, Donna Guaetta

APPROVAL OF MINUTES – SEPTEMBER 18, 2014

Bill moved, Scott seconded to approve the minutes as written. Motion Carried. 4/0

PERSONS REQUESTING TO BE ON THE AGENDA

None

PUBLIC PARTICIPATION

DONNA GUAETTA/525 PALLISER STREET – RE: BUS SHELTER

Ms Guaetta questioned why the Township cannot have a Bus Shelter placed at the corner of Luzerne St. Extension and Goucher Street. Ken explained that there was a bus shelter there at one time, however it interfered with site distance and had to be removed. There is not enough room because the right-of-way is very narrow and private property would have to be acquired in order to accommodate it.

In another matter, Ms. Guaetta showed the Supervisors a video of the drainage system they installed and how much water it collects. She noted that the water that is collected used to come into her driveway. She expressed her appreciation for the Board's prompt solution to eliminate the problem.

APPROVAL OF REPORTS: SECRETARY, INCOME, PAYROLL, FINANCIAL STATEMENT

Bill moved, Scott seconded to approve the reports as submitted with discussion to follow on the Secretary's Report. Motion Carried. 4/0

APPROVAL OF GENERAL FUND BILLS - \$129,416.32

Scott moved, Bob seconded to approve the general fund bills in the amount of \$129,416.32. Roll Call Vote: Ed-aye, Bob-aye, Bill-aye, Scott-aye. Motion Carried. 4/0

APPROVAL OF OTHER FUND EXPENDITURES - \$67,483.92

Scott moved, Bob seconded to approve payment of the other fund expenditures in the amount of \$67,483.92. Roll Call Vote: Ed-aye, Bob-aye, Bill-aye, Scott-aye. Motion Carried. 4/0

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UNFINISHED BUSINESS

ZONING ORDINANCE AMENDMENTS

Action Tabled.

SELL STREET GARAGE ROOF

No action taken.

POLICE CONTRACT

Bill moved, Bob seconded to authorize the Chairman to execute the Police Contract as soon as the Police Bargaining Unit endorse it. Motion Carried. 4/0

BUDGET WORKSHOPS

Bill moved, Scott seconded to hold a budget workshop on November 20, 2014 at 6:00 o'clock p.m. Motion Carried. 4/0

ALBERTA ZAWALISH/810 GOUCHER STREET-SURFACE WATER DRAINAGE

Ms. Zawalish wants permission to tie into Goucher Streets storm drains. The water is coming from her downspouts. Ken explained that a PennDot Highway Occupancy Permit would be required. He also stated that if the Board approves it, the Township would have full responsibility for it in perpetuity. There are issues involved with posting a security, permits and maintenance. A discussion followed. Ken will take another look at it to see if there is a better solution.

ROAD DEPARTMENT NEW TRUCK

Ed reported that the new truck was undercoated.

SUNRAY DRIVE POLICE SUITE RENOVATION PLAN

The plan is drafted and Ken is in the process of obtaining bids. He recommended that the Supervisors get a Certificate of Occupancy which protects the Township. Mark Walker will be contacted to proceed with that.

Chief Howell requested that the power pole that is needed in the front office be installed as soon as possible.

A discussion was held concerning the type of door locks that will be installed.

DROZ/MARGO DRAINAGE

Ken informed the Board that he will be meeting with DEP on October 29th at 10:00 a.m. to review the issues. He will make the property owners aware of the meeting.

WATER COMPANY BOND/SHENKELVIEW DRIVE

The Bond will expire on October 20th. Engineer inspected the area and stated that the Bond can be released.

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Bob moved, Bill seconded to release the Bond to the Greater Johnstown Water Company for the Shenkelview Drive repairs. Motion Carried. 4/0

SELL STREET CULVERT

The renovations for the culvert are still on hold. Ken has the budget figures worked up on that for next year.

SEWER AUTHORITY CONSENT ORDER AND AGREEMENT

Solicitor reported that the Township may have to adopt an Ordinance related to the Consent Order and Agreement with DEP. The Agreement is going to require pressure or water testing upon sale, transfer, refinance, etc., of real estate serviced by the Sanitary Sewer System.

POLICE OFFICES

Chief Howell noted that the Police offices have been well outfitted with furniture donated by CTC.

TRICK OR TREAT

It was noted that the Recreation Commission will have Trick or Treat night on October 31st from 6:00 – 8:00 p.m.

CORRESPONDENCE

JOHN DEMARCO/FENDER LANE – Mr. Demarco contacted the Township office with concerns about the bottom of Coon Ridge Road being slippery where it intersects with Fender Lane. The Supervisors concurred to have the Road Department install two signs along Coon Ridge Road to alert descending traffic.

EDWARD ASKEY/REQUEST TO ACQUIRE OLD COMPUTER EQUIPMENT

A letter from Mr. Askey was addressed. He offered to remove the old computer equipment that the Township was going to dispose of. It was noted that the hard drives have been removed and the equipment no longer has any value. Mr. Askey's son would use the old parts for his repair business. A discussion followed with regard to proper protocol when it comes to disposal of Government equipment even if it does not have any value. Chief Howell noted that a lot of the police equipment has identification numbers on it and is not comfortable with any of it being used.

Bill moved, Ed seconded to properly discard the old computer equipment through Cambria County's Recycling Program for disposal of electronic equipment. Motion Carried. 4/0

PEGASUS CELL TOWER ENGINEERING FEES

A balance remains in the amount of \$867.50 for engineering fees incurred for the cell tower request. The bills were being sent to the legal firm for payment. The office contacted the firm today and they stated that the bill was forwarded directly to Pegasus. The office is waiting to hear from Pegasus about payment. Action was tabled.

SAHLANEY & DUDECK LAW OFFICE/RE: MANOR REAL ESTATE PROPERTY

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A letter from Attorney Sahlaney was addressed concerning the complaint made by Robert George relative to the high weeds on the property owned by Manor Real Estate that adjoins his property. Attorney Sahlaney contends that the condition violates the Upper Yoder Township Nuisance Ordinance. The Nuisance Ordinance is enforced by the Upper Yoder Township Police Department and Chief Howell feels that Manor Real Estate is doing an adequate job controlling the vegetation. The property is 11 acres, wooded with pine trees and zoned agricultural. It was formally a tree farm. Chief Howell pointed out that Mr. George complained about the fencing, so the property owner removed it. Then he complained about the high weeds where the property formerly used it as a parking lot. The owner keeps it cut. Then Mr. George complained about the high weeds around the fence. The property owner cut an area wide enough to drive a car through the entire perimeter of the property. There was a complaint from Mr. George several years ago alleging that if a shard of glass is lying in the vegetation, it could ignite from the sun's rays. The Police Department engaged the services of the Fire Marshall and the Department of Forestry for an opinion. They deemed the complaint to be invalid. The residents along the property have piled rocks, stumps and debris on the Manor Real Estate Property. They even placed an old metal roller there and when it was removed, they contacted the Police to have it returned. Chief Howell feels that nothing the property owner does will satisfy Mr. George. He also noted that the letter from Attorney Sahlaney does not define exactly what Mr. George expects the property owner to do. A discussion was held. The consensus of the Board was to support the decision that lies in the hands of the Police Department for enforcement.

NEW BUSINESS

CONEMAUGH TOWNSHIP SNOW REMOVAL CONTRACT

The Conemaugh Township Supervisors agreed to the proposal to increase the contract amount to \$2,000.00 per year for the Township to do winter snow removal on the portion of Coon Ridge Road that lies in Conemaugh Township.

Ed moved, Scott seconded to approve the Agreement with Conemaugh Township for Coon Ridge Road winter maintenance in the amount of \$2,000.00 per year. Motion Carried. 4/0

RESOLUTION # 902 – GAS IMPACT FEE

Bill moved, Scott seconded to adopt Resolution #902 providing for supplemental appropriations for the 2014 Budget designating the Gas Impact Fee to the Capital Reserve Fund. Motion Carried. 4/0

RESOLUTION #903 – DISPOSITION OF RECORDS

Scott moved, Bill seconded declaring its intent to follow the schedules and Procedures for disposition of records as set forth in the Municipal Records Manual approved on December 16, 2008. Motion Carried. 4/0

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RESOLUTION # 904 – LISTING OF RECORDS FOR DISPOSITION

Bill moved, Scott seconded to authorize the disposition of the public records as listed and attached to the minutes as part of this Resolution #904. Motion Carried. 4/0

PUBLIC PARTICIPATION – None

ADJOURNMENT – Motion by Scott, seconded by Bill to adjourn the meeting. Motion Carried. 4/0

ADJOURNED – 7:45 p.m.

Respectfully submitted,



Pam Lonsinger
Recording Secretary

THE NEXT MEETING OF THE TOWNSHIP SUPERVISORS WILL BE HELD ON THURSDAY, NOVEMBER 20, 2014 AT 7:00 P.M AT THE TOWNSHIP MUNICIPAL BUILDING, 110 SUNRAY DRIVE, SUITE 1, JOHNSTOWN, PA. A BUDGET WORKSHOP MEETING WILL BE HELD AT 6:00 P.M. PRIOR TO THE REGULAR MEETING.

FILES TO BE DESTROYED
UPPER YODER TOWNSHIP

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ACCOUNTING RECORDS, EXPENDITURES, RECEIPTS, GENERAL LEDGER
BANK STATEMENTS
YEARS - 1985-1990, 2001, 2002, 2003

BANK STATEMENTS
YEARS - 1964, 1968, 1970-71, 1973-77, 1999, 1998, 2001-3

ACCIDENT REPORTS, WORKMAN'S COMPENSATION CLAIMS
YEARS - 1988-1996

TOWNSHIP INSURANCE POLICIES/WORKMAN'S COMPENSATION CLAIM RECORDS
YEARS - 1963, 1964, 1965, 1969, 1970-1976, 1978, 1979, 1980,
1981, 1982, 1983, 1984, 1985, 1986-1996, 1989-1999, 1993-2002

EARNED INCOME TAX RECORDS
YEARS - 1988-1992, 1994, 2004

TOWNSHIP ACCIDENT REPORTS
YEARS - 1997-2004

PA MUNICIPAL TAX RECORDS
YEARS - 1994 - 1997

REAL ESTATE ASSESSMENTS RECORDS
YEARS - 1991-1998

ROAD PAVING PROGRAM RECORDS
YEARS-1983-1993, 1994-1997, 1998-2002

REAL ESTATE TAX RECORDS
YEARS - 1969, 1970, 1971, 1973, 1977, 1997-8, 2005

OCCUPATION PRIVILEGE TAX RECORDS
YEARS - 1969, 1970, 1971, 1972, 1973, 1974, 1975, 1976, 1978, 1985,
1992-1998

REAL ESTATE TAX RECORDS
YEARS - 1972, 1974, 1975, 1985

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TREASURER'S REPORTS/GENERAL LEDGERS

YEARS - 1958-59, 1966, 1967, 1968, 1969, 1970, 1971, 1972 , 1974, 1980-89

CHECK STUBS, CANCELLED CHECKS GENERAL LEDGERS, RECEIPTS, EXPENDITURES

YEARS- 1952-3, 19071-4, 1962-66, 1955-59, 1976 , 1969-70 , 2001-3

ALL FUNDS - 1957-1967, 1968, 1971

GARBAGE FUND - 1967, 1966, 1969, 1971, 1972, 1973, 1974, 1975

FEDERAL REVENUE SHARE - 1973-1978

STATE FUND-1966-1971, 1972

SPECIAL ACCOUNT FUNDS - 1978-79

TREASURER'S ACCOUNTING BOOKS

YEARS - 1943, 1944, 1945, 1946, 1947, 1948, 1949, 1950, 1953, 1955, 1954, 1955, 1956, 1957, 1958, 1959, 1960, 1961, 1962, 1963, 1964, 1965

TAX REPORTS AND PER CAPITA

YEARS - 1970, 1974, 1976, 1977

BILLS/INVOICES-EXPENDITURES

YEARS 1970, 1971, 1974, 1976

TOWNSHIP ROAD OCCUPANCY PERMITS

YEARS 1966, 1967, 1968, 1969

POLICE FINES RECORDS

YEARS - 1970, 1971

TAX DUPLICATE RECORDS

YEARS 1962-9, 1971, 1978-9, 1980-82, 1984, 1995-6, 1998, 2000, 2002, 2003-4

OCCUPATION PRIVILEGE RECORDS/RECEIPTS

YEARS 1968, 1977-9, 1979-93

FILES TO BE DESTROYED
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ROAD OCCUPANCY PERMITS
YEARS 1960-65

GARBAGE COLLECTION RECORDS
YEARS - 1971-77, 1996, 2001-3

GARBAGE LIEN RECORDS
YEARS 1989-2005 (PAID)

CANCELLED INSURANCE POLICIES FOR POLICE PENSION AND NON-UNIFORMED PENSION
YEARS 1976-1981

INSURANCE QUOTES-LIABILITY, GENERAL INSURANCE
YEARS 1982-83

INSURANCE CORRESPONDENCE
YEARS 1990-1996

EQUIPMENT:

- HP COMPUTER TOWER (2)
- LENOVO COMPUTER TOWER
- SCANNER SCAN JET 5300
- COMPAC PRINTER
- KDS MONITORS (2)
- DICTAPHONE
- COMPUTER BACKUP RECORDER

SINKING FUND RECORDS-SELL ST.
YEARS 1956-57, 1964, 1973

REVENUE SHARING RECORDS - YEARS 1973

ROAD PAVING CONTRACT - 1974

FINANCIAL REPORTS
YEARS 1971-72

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REAL ESTATE TAX ASSESSMENTS RECORDS
YEARS - 1985-1990

TOWNSHIP GENERAL LEDGERS
YEARS 1958-1979, 1980-1989, 1990-94

RECYCLING CORRESPONDENCE AND CONTRACTS
YEARS 1991-1996

CAMBRIA CO. RECYCLING REPORTS
YEARS 1992-96

CABLE FILES/CORRESPONDENCE
YEARS - 1964-1996

PA ONE CALLS RECORDS
YEARS 1995-2005, to 2007

TOWNSHIP FINANCIAL STATEMENTS
YEARS 1995-2001

EMERGENCY MANAGEMENT GRANTS RECORDS
YEARS 1994 AND 1996

TOWNSHIP COMPUTER RECORDS
BMSI - 2004 AND BACK

ADDRESS CHANGES NOTICES FROM WATER CO. FOR
GARBAGE/SEWER ACCOUNTS

INSURANCE INFORMATION RESOURCE GUIDES/MANUALS

MOXHAM CHECKING ACCOUNTS - CHECKS/RECORDS
DEBT SERVICE, RECREATION, REVENUE SHARING, FIRE CO., GARBAGE
FIRE HYDRANT - FUNDS

FILES TO BE DESTROYED
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POLICE TIME SHEETS – 1987-2003

POLICE SEAT BELT GRANT – 1994-95

EMPLOYMENT APPLICATIONS – 1987 – TOWNSHIP OFFICE
ALSO POLICE, ROAD, ZONING OFFICER – 1990

FIRE COMPANIES 1995-2002
FLOOD MATERIAL
FLOOD CLAIM 1996
HAZARD GRANT 1997
RAYMOND HALL
HOSPITALIZATION 1997-2000

TOWNSHIP INSURANCE POLICIES
YEARS 1988-89

ALL ACCOUNTING RECORDS PRIOR TO 2004 WERE PURGED EXCEPT FOR PAYROLL
RECORDS, AND TOWNSHIP FILES AND LEGAL FILES.