

MEMBERS PRESENT

EDWARD BARZESKI
ROY SHAFFER
ROBERT AMISTADI
PAUL PIOLI
SCOTT HUNT

OTHERS PRESENT

ROBERT SHAHADE - SOLICITOR
KEN MESKO - ENGINEER
MARY KAY MAHER-TWP SECRETARY
POLICE CHIEF DON HESS

OTHERS: Carol Concannon, John Concannon, Paul Miller, Georgia Yeager, Bonnie Pickerill, Charles Snyder

CHAIRMAN CALLED THE MEETING TO ORDER AT 7:00 P.M. WITH THE PLEDGE OF ALLEGIANCE.

APPROVAL OF MINUTES – OCTOBER 19, 2017

Roy moved, Paul seconded to approve the minutes as submitted. MOTION CARRIED 5/0

PUBLIC PARTICIPATION

GEORGIA YEAGER/1022 HAVERFORD ST – RESOLUTION PRESENTATION

Ms. Yeager addressed the Supervisors regarding a proposed resolution for remapping and redistricting. The Resolution states to make sure the focus is fair for everyone. The district lines for senatorial and congressional benefit all taxpayers and should not favor one party or another party. There is pending legislation on this remapping and redistricting and many of the smaller local governments are supporting this Resolution to inform the leaders in Harrisburg to be fair in the remapping so that everyone can benefit. The 2020 Census is approaching, and these letters must be submitted before a session of the legislature. Years ago, she stated, the leaders did not have access to data from the internet. Now, they know where to draw the lines to obtain the most votes. The Resolution wants to make sure to honor all citizens of PA, make every vote count and to make the resources available for everyone on a fair basis. She asked the Supervisors to consider their support in passage of the proposed Resolution presented. It was pointed out that the Resolution is a non-party resolution.

RESOLUTION NO. 926 - Scott moved, Paul seconded to have the Upper Yoder Township Supervisors execute the Resolution, as presented, in support of the Commission's call for fairness for all citizens in the redistricting of legislative and congressional boundaries and to have the same Resolution distributed to all governing bodies as listed on the resolution. MOTION CARRIED 5/0

ROBERT MILLER/700 GOUCHER STREET – POLLING PRECINCT

Mr. Miller asked the Board asked what is considered the Polling place for election day, whether it is the building, grounds, or meeting room. The last election day, there were election signs located on the front lawn of the Municipal Building with campaigners on the sidewalk. When the polling place was in the old municipal building on Elim Street, he wanted to bring a group of cub scouts to the polling place to teach them about voting. He was told he could not bring them onto the property grounds as it is considered a polling place. He was informed that the Election Board rents the meeting room of the municipal building and they set the rules and regulations for polling precincts. He would have to go to the Cambria County Court House in Ebensburg to find out these answers. Some thoughts were expressed by the Board that the polling place may be the meeting room and hallway, since the Township office is open for service during Election Day and any signs or campaigning must be 10 feet from the polling place. Mr. Miller was requested when he found out the answer from the Election Office to return to the next meeting so that the entire Board could be informed of the regulations.

APPROVAL OF REPORTS – SECRETARY’S, INCOME, PAYROLL, FINANCIAL STATEMENT

Scott moved, Roy seconded to approve the reports as submitted with discussion on the Secretary’s Report, if necessary. MOTION CARRIED 5/0

APPROVAL OF GENERAL FUND BILLS - \$398,537.77

It was noted that the payment to Snyder Excavating for the work done on Sell Street excluded the invoice submitted for road paving after this project was completed. Paul moved, Bob seconded to approve the general fund bills in the amount of 398,537.77. ROLL CALL VOTE: Roy-aye, Ed-aye, Bob-aye, Paul-aye, Scott-aye MOTION CARRIED 5/0

APPROVAL OF OTHER FUND EXPENDITURES - \$153,237.39

Scott moved, Bob seconded to approve the Other Fund Expenditures in the amount of \$153,237.39. ROLL CALL VOTE: Scott-aye, Paul-aye, Bob-aye, Ed-aye, Roy-aye MOTION CARRIED 5/0

UNFINISHED BUSINESS

SELL STREET STORM SEWER PROJECT UPDATE

Ken reported the project is completed and the paving is done. The invoice for the paving was excluded in the payment to Snyder Excavating. Ken explained to the owner that they were over the time limit for the contract. Had they finished the project in time, the paving could’ve been done with the Township’s Paving Program and would’ve saved on the cost of the paving needed to complete Sell Street. The paving would’ve cost \$960 instead of \$3,192 based on the tonnage needed. The owner of Snyder Excavating has not responded back on the paving cost.

GIANT EAGLE STORM SEWER PROJECT UPDATE

Ken reported they are finished with everything concerning the retention pond. It is now back to the original design as recorded with the plans at the Court House. Ken reported when the maintenance workers enter the pond area to remove the vegetation, they are disturbing the berm work surrounding the pond and this will cause future problems. The workers will have to be aware of this damage and repair it each time they remove the vegetation. It may be possible to tie the discharge of the retention pond into the drainage system that was just installed on Berkley Road by Snyder Excavating. Any cost of tying in of the retention pond to the existing drainage work would be at the cost of Giant Eagle and with permission or an easement of the property owner. This would be in Giant Eagle’s best interest to tie it together and the maintenance would be less.

2018 GENERAL FUND BUDGET AND OTHER FUNDS

Scott presented a balanced budget to the Board for approval with the General Fund balanced for \$1,676,156. Scott stated there will be no tax increase for the upcoming year and all millages and fees will remain the same in 2018 as they were in the year 2017. Scott noted it has been approx. 13 years since there was a tax increase.

POLICE VEHICLE PURCHASE

Paul inquired if advertisement was necessary to purchase a police vehicle from a state contract. Solicitor noted it was not required however, an updated quote should be obtained so that a formal motion for purchase can be made.

Bob moved, Scott seconded to authorize the Chief to obtain updated quotes on the purchase of a new Police vehicle through the State Contract. MOTION CARRIED 5/0

POLICE REPORT

Chief reported that this past month was very good with the lower number of crimes that were committed which was down from other months. The "Coffee with a Cop" session at St. Mary's went very well with Board members and officers appearing. He extended a "thank you" to the Fire Department for their training on "Stop the Bleeding" for trauma incidents. Seven (7) officers from the department attended this training which went very well. Chief earned a Certificate for a class for "Critical Incident Stress Management" recently from the University of Maryland. Chief also ordered two Active Shooters Kits and Bail Out Bags with the funds received from the sale of the Enrad equipment to another Police Department. Chief reported he will be applying for a "Loss Control Grant" that is available for up to \$5,000.

NEW HIRE – POLICE DEPARTMENT

Chief recommended the hire of a new part-time police officer – Charles D. Cypher, who is a full-time officer with the City of Johnstown, stating he would be very well suited for Upper Yoder Township.

Paul moved, Bob seconded to hire Charles D. Cypher as a part-time police officer with the Township. MOTION CARRIED 5/0

2018 MEETING DATES

Ed moved, Roy seconded to keep the Township meeting dates the same day and time, the third Thursday of every month at 7:00 p.m. and to have a second meeting in January, 2018 in addition to the Reorganization meeting. MOTION CARRIED 5/0

NEW BUSINESS

ORDINANCE NO. 283 OF 2017

AN ORDINANCE OF THE BOARD OF SUPERVISORS OF UPPER YODER TOWNSHIP, CAMBRIA COUNTY, PENNSYLVANIA, ESTABLISHING A VOLUNTEER SERVICE CREDIT PROGRAM; ENACTING TAX CREDITS FOR VOLUNTEER MEMBERS OF VOLUNTEER FIRE COMPANIES AND NONPROFIT EMERGENCY MEDICAL SERVICE AGENCY; AND ESTABLISHING ADMINISTRATIVE PROCEDURES AND APPEALS. Ordinance adopted by motion of Scott, seconded by Paul. MOTION CARRIED 5/0

RECREATION AUTHORITY VACANCY

James Craft was appointed to the Recreation Authority Board for a four-year term until 2/24/2019. Mr. Craft passed away in April of 2017.

Ed moved, Paul seconded to appoint Robert Amistadi of 934 Coon Ridge Road to the vacancy of the Recreation Authority. Mr. Amistadi will complete the unfinished term until 2/24/2019. MOTION CARRIED 5/0

PREMIUM ONLY PLAN SECTION 125

The Premium Only Plan was prepared to be adopted for all employees for the Township that contribute towards the healthcare premiums. Taxes would be calculated on the remaining wages after the contributions towards the healthcare premiums are deducted from their gross wages. Plan will be effective 1/1/2018. Solicitor noted the proposed plan does conform with the IRS specifications.

PREMIUM ONLY PLAN SECTION 125

Bob moved, Scott seconded to approve the Premium Only Plan for all employees of the Township effective Jan. 1, 2018. MOTION CARRIED 5/0

RESOLUTION NO. 927 OF THE BOARD OF SUPERVISORS OF UPPER YODER TOWNSHIP, CAMBRIA COUNTY, PENNSYLVANIA PROHIBITING THE LOCATION OF A CATEGORY FOUR (4) LICENSED FACILITY WITHIN THE TOWNSHIP.

Act 42 of 2017 authorized the placement of ten Category 4 casinos within the Commonwealth, which is a "mini-casino" with no less than 300 or more than 750 slot machines and table games. Act 42 grants municipalities the authority to prohibit the location of a Category 4 casino within the boundaries of the municipality. To do so, the governing body must pass a resolution its desire to prohibit casinos within the municipality which needs to be passed and delivered to the Pa Gaming Control Board by 12/31/2017. This Resolution can be rescinded in the future. Discussion ensued on whether to prohibit casinos or not. It was not known if a casino would generate any revenue for the municipality or not. It was also noted the Township is a "dry" township with no liquor licenses issued. Solicitor pointed out there are few commercial zones in the area in which a casino could be established.

Ed moved, Roy seconded to "opt out" of allowing Category Four (4) Casino in Upper Yoder Township by adopting Resolution No. 927 as stated above. MOTION CARRIED 4/0/1
ROLL CALL VOTE: Scott-aye, Paul-aye, Bob-aye, Ed-aye, Roy-aye

ELECTED AUDITORS VACANCY

The November Election did not produce any candidates for the two vacancies for the Elected Auditor's positions.

Ed moved, Bob seconded to appoint Donna Cauffiel of 160 Cauffiel Lane and Susan Mesko of 275 Irvin Street to the positions of Township Auditors. MOTION CARRIED 5/0

ANIMAL CONTROL CONTRACT

Larry Crespo, d/b/a Wildlife Solutions has a current contract with the Township for animal control that will run to 12/31/17. Cost of the contract for the year of 2017 is \$1,112.00. A new contract was submitted for consideration for the year 2018 at a cost of \$2,766.00.

Ed moved to table any action on the submitted contract for the year 2018.
Ed amended his motion to NOT to renew the submitted contract from Wildlife Solutions for the cost of \$2,766.00 for the year 2018. Seconded by Bob. MOTION CARRIED 5/0

PUBLIC PARTICIPATION – none

CHAIRMAN ANNOUNCED THE BOARD AND SOLICITOR WILL ADJOURN INTO AN EXECUTIVE SESSION NOT TO RECONVENE.

ADJOURNMENT - Motion by Scott, seconded by Bob . MOTION CARRIED 5/0

ADJOURNED 7:25 P.M

Respectfully submitted,

A handwritten signature in cursive script that reads "Mary Kay Maher".

Mary Kay Maher
Twp. Secretary

**THE NEXT SUPERVISORS MEETING
WILL BE HELD AT THE TOWNSHIP MUNICIPAL BUILDING,
DEC. 21, 2017 AT 7:00 P.M.**