

MINUTES
BOROUGH OF SOUTHMONT
October 15, 2001 7:00 p.m.

The scheduled October Council meeting was called to order by President Pile at 7:00 p.m. After the pledge to the flag, the October 15, 2001 meeting of Council convened.

PRESENT: President Pile, Mr. Rodgers, Mr. Rovanseck, Mr. Kory, Mr. Krupa, Mr. Danyluk,

Mayor: Lary Koval, Secretary/Treasurer: Judith Czyrnik, Solicitor: Daniel R. Lovette, Engineer: David Duray, Zoning Officer: Dyke Orms, Fire Dept.: Chet Borosky, West Hills Police: Chief Andy Havas, Detective George Musulin

ABSENT: Jan Bosley-Street Commissioner/Sick, Mr. Strittmatter-Out of Town

VISITORS: Mike Bukowski-Magerko and Associates

President Pile asked for approval of the September 17, 2001 minutes, and the Committee Meeting Notes-October 9, 2001. A motion was made by Mr. Krupa to accept the Minutes and Notes as presented. Seconded by Mr. Kory. All in favor, motion carried. Mr. Strittmatter, absent.

At this time President Pile asked for a motion to open the bids for the Borough owned Wren Street property. Motion made by Mr. Kory and seconded by Mr. Krupa. One bid was received from Magerko and Associates.

Magerko and Associates submitted a bid of \$25,147.00. Magerko and Associates plan to construct a townhouse project, as previously presented to Council on Sept. 4, 2001. Mr. Rodgers asked Solicitor Lovette if the bid is accepted, and a building permit is received for this project, it would have to go before the Zoning Hearing Board if any variances are necessary. Solicitor Lovette agreed. On another question, Mr. Bukowski agreed to meet with any residents who had concerns over the proposed development.

After further discussion, Mr. Krupa made a motion to accept the sole bid of \$25,147.00 from Magerko and Associates for the Wren Street property. Seconded by Mr. Rodgers. Roll call: Mr. Rodgers, Mr. Rovanseck, Mr. Kory, Mr. Danyluk, Mr. Krupa, all in favor, opposed-none. President Pile, abstained/conflict of interest, all in favor, opposed-none. Mr. Strittmatter-absent. Motion carried.

Mr. Rodgers made a motion to authorize Solicitor Lovette to prepare the deed and paperwork to complete the transaction. Seconded by Mr. Danyluk. All in favor, motion carried. Mr. Bukowski is willing to meet residents with any concerns over the proposed development, at a workshop meeting.

POLICE CHIEF'S REPORT

Chief Havas's written report records the revenues for the month of September at \$864.69. Chief Havas and Detective Musulin reported that West Hills Police have purchased a new fingerprinting system and a new breathalyzer unit. These items were purchased through State grants. Officer West has been certified to operate the new equipment.

cont'd POLICE CHIEF'S REPORT

Chief Havas reported that he has been notified of Trick or Treat night on October 25th from 5:30 to 7:30 p.m. The West Hills Police will assist the Fire Department on this night. President Pile had asked Chief Havas about Council's concern with the speeding on State Street, Floyd Street, Southmont Blvd., and etc. Council would like more patrol on these streets. Chief Havas stated that traffic violations (speeding) are up from last year. Mostly on Menoher and Southmont Blvd. Chief Havas stated that he would take his patrol's off Menoher and Southmont Blvd. and patrol the other streets. Council is asking if the Police would just be more visible on other streets in the Borough. Possibly they could paint lines on the streets in an attempt to make the vehicle traffic more aware of their speed. Chief Havas will report to Council at next months meeting. There will be a Police Commission meeting on Tuesday, October 16, 2001 at 7:00 p.m. in Brownstown.

ZONING OFFICERS REPORT

Mr. Orms reported that there were 5 permits issued for the month and the total year to date construction cost is \$737,339.00. Mr. Orms attended a County Land and Use workshop meeting on October 3, 2001. At this meeting the County's Land Use Ordinance was explained. Southmont has a Land Use Ordinance and therefore, this does not apply to the Borough. A portion of the meeting was devoted to the coming PA Unified Construction Code, (UCC). Mr. Orms discussed the upcoming code briefly. Council suggested that this be further reviewed by the Committee at a meeting on October 30, 2001 at 7:00 p.m. Mr. Orms was directed by President Pile to check on two buildings that have been built at 3 Wren Street, apparently without a building permit.

Solicitor Lovette prepared proposed Ordinance No 430 amending the fence height from 5' to 6' . It has been advertised and will be approved at the next meeting of Council.

FIRE COMPANY REPORT

Chief Borosky's written report records 13 activities for the month of September. Chief Borosky reported that Eron Stoykovich has passed the Firefighter I certification. Due to the terrorist activities on Sept. 11, all stations were activated for standby in the event of additional tragedies. Southmont Borough VFC participated in a Boot Drive in our Borough for the firefighters and families of the New York Fire Department who were affected by the terrorists attack on 9-11-01. The monies collected totaled \$3,545.25. President Pile made note that a letter was received (9-17-01) from Kelly Callihan, ESQ representing Suppes Motors and Mr. Fred Suppes about an incident concerning Mr. Borosky on August 27, 2001. Correspondence has also been received from Mr. Borosky (9-24-01) about the incident. Chief Borosky needs the signature from Council that Southmont will participate in the PA Department of Community Local Government program to assist Fire Departments in regionalization throughout the area. Mr. Strittmatter was named as contact person for the Borough. A motion made by Mr. Danyluk to accept the Local Government agreement to meet for regionalization of local Fire Departments. Seconded by Mr. Kory. All in favor, motion carried. Mr. Strittmatter, absent.

cont'd - Fire Chief's report

President Pile discussed the policy for bids and quotes as outlined by Borough Code. It is the consensus of Council that a change is needed in Borough policy.

After discussion, Mr. Rodgers made a motion that any future projects by the Borough and Fire Company that appear to be over \$3000.00 must be advertised for sealed bids and opened publicly unless in an emergency and that no contractor's bid will be accepted without Worker's Compensation and Liability Insurance. Seconded by Mr. Kory. All in favor, motion carried. Mr. Borosky asked if this would affect the Southmont Relief Fund. Council is concerned with all other bids other than the Relief Fund. All advertisements will be paid by the Borough. The Fire Co. will prepare the specifications for advertisements of the items they want to bid. Council noted that the Hilltop Ambulance report is on file.

ENGINEER'S REPORT

Mr. David Duray of Paul C. Rizzo Associates reported that he had Jan pull the flow meter at the Wonder Street site and returned it to the manufacturer. Mr. Bosley and Mr. Duray discussed the sewer taps needed for the construction on Cheney Oak Drive townhouses. Mr. Duray feels they need 5 separate sewer taps.

Solicitor Lovette and Mr. Duray met with Upper Yoder Sewer Authority on the latest agreement and rewording of the agreement dated September 19, 2001. Some additional changes have been recommended on Item C., and will be further discussed at the Committee meeting on October 30, 2001. There was a lengthy discussion about excess costs for construction or excess flows to Borough residents and to the Upper Yoder Sewer Authority. Solicitor Lovette stated that if we raise our rates the increase would also go to Upper Yoder Sewer Authority. Solicitor Lovette feels Item B and Item G will cover any cost concerns of Council. Upper Yoder Twp. is using approximately 10% of our sewer lines. Mr. Duray will attend the October 30, meeting for further discussion on clarification of infiltration, calculations, and etc...

Mr. Chiodo presented Council with a request for sanitary sewer service to a property at the corner of Menoher Blvd. and Susan Drive. Mr. Chiodo is proposing to build a 3,200 sq. ft. professional office building on the property. He is requesting that the sewer line be extended 180 feet across Susan Drive. After discussion, it was agreed that Council cannot act on this request until a building permit is received and approved. Mr. Duray expected the cost of this 180 feet of the requested sewer project would be approximately \$12,000.00. Mr. Duray suggested that the Budget Committee consider the project. Matt Stevers of the Mid-Atlantic Capital Development Group requested using a main tap into the sanitary sewer system on Cheney Oak Drive, instead of the five recommended taps. Mr. Duray discussed the sewer taps needed for the construction on the Cheney Oak Drive townhouses. Mr. Duray feels they still need 5 separate sewer taps, as there will be 5 separate units for sale.

Mr. Duray recommended that a Fall Street Paving inspection be scheduled as soon as possible. Mr. Danyluk will set up the inspection date.

Mayor Koval questioned the amount of EDU taps available for Magerko and Associates proposed development on the Wren Street property.

COMMITTEE REPORTS

STREET COMMISSIONERS REPORT

In Mr. Bosley's absence his written report was reviewed. Routine maintenance was done on the Building, equipment and etc. Employees continued to rebuild catch basins. They finished Helen Street and also repaired the curb at the Inlet. Blacktopped around 12 rebuilt catch basins and at the 8 handicapped curb cuts installed. A few potholes were patched. Began repairing Borough sanitary sewers with violations found during recent smoke testing and televising.

Repaired the backhoe garage door openers. Trimmed several trees along streets and intersections overhanging either sidewalks or streets. Continued to check flows in designated sanitary sewers. The lights have been left on in the Soccer field restrooms. Received one additional bid for the Borough building painting in the amount of \$8,850.00. Mr. Bosley's report records that Penelec will be installing new poles for lights in alleys. The cost will be slightly higher due to the guy wires for some of the poles. (Council is aware of the additional cost.)

STREET COMMITTEE

A Fall Street Paving inspection will be scheduled as soon as possible. Mr. Danyluk will set up the inspection date and time. Mr. Danyluk has received two letters one in reference to installing a No Parking sign on Southmont Blvd., near the Otis Street Intersection. Vehicles parking too close to the intersection make visibility down Southmont Blvd. very hazardous.

Mr. Danyluk also received a letter from Mr. & Mrs. Fran Kelly requesting that Council reconsider installing the alley light near their home or at least moving the location of the light. They are questioning the need for the light and the added expense to the Borough. Mr. Danyluk will check with Penelec and see if the pole can be moved. Mr. Rodgers is asking that Mayor Koval look at the corner of Orchard Street and Menoher Blvd.. There was a No Parking sign there previously but it is gone now. Mr. Rodgers asked that Mayor Koval look to see if a sign is needed.

ADMINISTRATION/PERSONNEL COMMITTEE

Personnel and Evaluations will be discussed at the Committee meeting.

POLICE COMMISSION

Mayor Koval reported that a Police Commission meeting will be held October 16, 2001 at Southmont Borough.

RECYCLING COMMITTEE

Report submitted. Mr. Danyluk suggested new signs be put in the Recycling Shed. Mr. Rovanseck will write a note for the Newsletter in reference to recycling.

INSURANCE COMMITTEE

Mr. Kory had nothing to report.

BUDGET COMMITTEE

Mr. Rodgers reviewed the Budget. The 2002 Budget requests should be received prior to a Budget meeting Mr. Rodgers scheduled for November 13, 2001. This meeting is to prepare a tentative Budget for approval at the November meeting. Budget Worksheet's will be sent to all Council members. Mr. Quinn is requesting that we give him permission to charge for tax information from Mortgage Companies. Mrs. Czyrnik will check with PSAB to see if charges are allowed and for sample ordinances if available.

SHADE TREE

Mr. Krupa reported on the Shade Tree Commission activity this month. The additional arborvitae trees have been planted along Diamond Blvd. Mrs. Demming of Lella Street is requesting that the Shade Tree Commission remove a tree on her property. The tree is healthy, however, it is causing the sidewalk and driveway to heave. She wants to replace her driveway and walks. She wants the borough to remove the tree and stump. Mr. Krupa stated our program only removed dead or hazardous trees. Mrs. Demming will be sent Ordinances for her information. Newsletter articles should be given to Mrs. Czyrnik, as soon as possible.

RECREATION/PLAYGROUND COMMITTEE

President Pile reported the Audit for the Recreation Commission was received from Wilkinson Kline Kimlin and Leahey Certified Public Accounts. The audit was very good according to the accountants.

Mr. Krupa reviewed the Special Meeting the School District held to discuss the Westmont Hilltop Recreation Commission. The meeting was very intent. Nothing was resolved. Possibly another meeting will be held. Council will further discuss the 1982 Agreement of the Westmont Hilltop Recreation Commission at the Committee meeting on October 30, 2001.

President Pile has contact with a person who is willing to write, at no cost, for a Green Growing Grant to assist the Recreation Commission with funds for the sewage treatment plant at the Ridge. A motion was made by Mr. Rodgers to endorse a proposed grant writing for the Recreation Commission. Seconded by Mr. Rovanseck. All in favor, motion carried. Mr. Strittmatter, absent.

BUILDINGS and GROUNDS

Mr. Kory reported that Big City Signs has been given the deposit for the welcome signs. Big City will begin working on the signs.

A motion was made by Mr. Kory to reject all bids for the painting of the Borough Building and Outside garage, and to advertise for bids to be opened at the March 2002 meeting. Seconded by Mr. Rodgers. All in favor, motion carried. Mr. Strittmatter, absent.

C.O.G REPORT

Mr. Rovanseck reported that Southmont has received the budget figures for the shared cost of the proposed crack sealer that COG is planning to purchase. Cost per year will be \$784.00 a year for three years. Salt bids have been received.

CHAPIN ARCH

Solicitor Lovette reported that the Borough is still waiting for the deed from PennDot before it conveys the Arch to the Conservancy Group. He has sent all the paperwork to PennDot.

MAYOR'S REPORT

Mayor Koval attended the meeting with the School District and Recreation Commission. Mayor Koval helped with the Fire Company's Boot Drive.

SOLICITOR 'S REPORT

Solicitor Lovette met with Mr. Sprague to negotiate an invoice submitted to Southmont Borough for the Luzerne Street sanitary sewer project that went through his property. He invoiced the Borough for \$5,972.35 for the easement on his property. Nothing was accomplished and Mr. Sprague took the charges to the Magistrate. Solicitor Lovette will attend the hearing on October 22, 2001 at 10:00 a.m.

Solicitor Lovette continued with Council's request to review into the Haidar property at 1027 Luzerne Street. Mr. Haidar has not followed the decision made by the Zoning Hearing Board to get a permit and variance to finish his proposed parking lot. He has covered the dumped debris with clean dirt. Solicitor Lovette stated that there is no permit, no debris being dumped, no parking lot being installed, therefore, there is nothing to enforce. Mr. Haidar has met the requirements of Borough codes. Solicitor Lovette will speak to Mr. Pullen.

SECRETARY'S REPORT

The Secretary's report has been submitted and records that the Borough has advertised for the Fall Brush Clean up scheduled for Oct.15, 16, & 17. Also, advertised proposed Ordinance No. 430 for changing the fence height from 5 feet to 6 feet. This will be approved at the Nov. meeting. Sign in and sign out sheets have been placed in the Soccer field restrooms. Borough employees will check the sheets for signatures. State allocations have been received and will be distributed to the West Hills Regional Police and to the Southmont Volunteer Relief fund. The Fire Departments total is \$9,928.55 and the West Hills Police is \$8,114.44

TREASURER'S REPORT

A motion was made by Mr. Rodgers to accept the September Treasurer's Report, as presented, in the amount of \$366,540.39. Seconded by Mr. Krupa. All in favor, motion carried. Mr. Strittmatter, absent.

TAX COLLECTOR'S REPORT

Mr. Rodgers made a motion to note that Southmont received the September Tax Collector's Report, with Real Estate Collections at \$2,625.46. Seconded by Mr. Kory. All in favor. motion carried. Mr. Strittmatter absent

PAYMENT OF BILLS

After discussion, a motion was made by Mr. Krupa to approve payment of the bills for a total amount of \$ 80,163.89. Seconded by Mr. Rovansek. Roll Call: Mr. Rodgers, Mr. Rovansek, Mr. Kory, Mr. Danyluk, Mr. Krupa, and Mr. Pile. All in favor, opposed none. All in favor, motion carried. Mr. Strittmatter, absent.

OLD BUSINESS

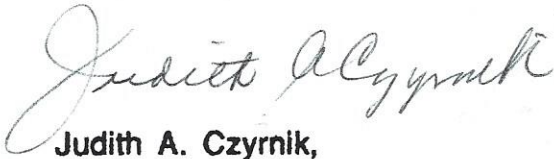
President Pile asked for review of items on the "Tickler List". Items were reviewed, removed or relisted. Some new items will be added.

NEW BUSINESS

The annual Cambria County Borough's Association annual dinner is scheduled for October 23, 2001. Mr. Krupa will attend. Mr. Rodgers made a motion to approve Mr. Krupa's reservation at the Dinner Meeting. Seconded by Mr. Kory. All in favor, motion carried.

There being no further business President Pile moved to adjourn the October 15, 2001 meeting of Council. All in favor.
Meeting adjourned at 8:50 p.m.

Respectfully submitted,



Judith A. Czyrnik,
Borough Secretary