

**MINUTES**  
**BOROUGH OF SOUTHMONT**  
**April 17, 2000 7:00 p.m.**

The scheduled April Council meeting was called to order by Vice-President Rodgers at 7:00 p.m. After the pledge to the flag, the April 17, 2000 meeting of Council convened.

**PRESENT:** Mr. Rodgers, Mr. Rovasek, Mr. Krupa, Mr. Strittmatter, Mr. Danyluk, Mr. Kory, President Pile, Mayor Lary Koval, Secretary/Treasurer: Judith Czyrnik, Solicitor: Daniel R. Lovette, Engineer: Dave Duray, Street Commissioner: Jan Bosley, West Hills Police: Chief Andy Havas, Fire Dept: Chet Borosky, Zoning Officer: Fred Pullen

**ABSENT:** Mike Butler, Fire Chief

**VISITORS:**

Sue Lease	Heritage Real Estate	Mary Green	137 Dahlia St.
Janet Boyer	556 Harshberger St.	Julia Messner	202 Violet St.
Anne Kindracik	109 Violet St.	Betty Coleman	133 Dahlia St.
Scott Pyschnick	1027 Luzerne St.	Tammie Pyschnick	1027 Luzerne St.

President Pile asked for approval of the March 20, 2000 minutes, and Committee Note of April 4, 2000. A motion was made by Mr. Krupa to accept the minutes as written. Seconded by Mr. Strittmatter. All in favor, motion carried.

At this time President Pile called on visitor Sue Lease, who was representing Janet Boyer 556 Harshberger St. Ms. Boyer is looking to sub-divide her property. Two lots equal 80x204, with the proposed sub-division each lot would be 80x102. After questions from Council, Mr. Pullen stated that there would be enough room to build a home with the proper set backs. A motion was made by Mr. Danyluk to approve the sub-division as proposed, based on Mr. Pullen's information. Seconded by Mr. Rodgers. All in favor, motion carried.

Several residents in the neighborhood of a Day Care Center at 206 Violet Street wanted to express their concerns and complaints. Mrs. Mary green, acting as spokesperson submitted to Council a letter with their complaints and signatures of approximately 20 residents who are complaining about conditions at the Day Care Center. Their complaints are as follows; the garbage cans do not have lids, cans are seldom returned to the property after the collection of garbage is done, grass is not cut on a regular schedule, general yard clean-up needs to be done, excessive noise and the children are noisy anytime from early morning to evening, six to seven days a week. Photos were submitted to Mr. Pullen. Mr. Pullen visited Bridget Morse, the owner of the Day Care Center. He reviewed some of the residents complaints with her. She later cleaned up the property. Mr. Pullen is checking the Borough's Zoning on the Day Care Center for clarification of the operation. He is also checking with the State Guidelines for operating Day Care Centers. According to State Law the Center is operating properly.



Mr. Pullen will check on several questions that were asked by the residents and members of Council. Questions such as, who holds the license, how many employees, who owns the property, parking and etc. Mr. Pullen will gather his information and report to Council at the Committee meeting set for May 2, 2000. The residents were told to notify the Police if the garbage continues to remain a problem. Also the cans should be returned to the property after the garbage is collected. Solicitor Lovette suggested that Mr. Pullen monitor the amount of children, employees and general area situation.

Mr. Pyshnick was in attendance to hear what the recommendations will be for the sanitary sewer line problems on the Luzerne Street line. At this time Mr. Duray reported to Council that the test holes were dug and with the results Mr. Duray is recommending that approximately 72' of the sanitary line be replaced. Mr. Duray stated that the construction of the line will change the configuration of the line. Mr. Duray is confident that the new line will solve the problems and increase the fall. Easements will be necessary. Mr. Rodgers made a motion to prepare the bids and advertise and to have Solicitor Lovette prepare the easements for the sanitary sewer construction, for bid opening as soon as possible. Seconded by Mr. Rovansek. All in favor, motion carried. Borough employees can do some of the restoration after the new line is in place.

#### POLICE CHIEF'S REPORT

West Hills Regional Police written report records the revenues for Southmont Borough fines for March of \$394.58. The "Officer Phil Program" was presented at Our Mother of Sorrows School. Officer Mulkey represented West Hills Police at the program. Officer Mulkey participated in a program directed to pre-school children at the head Start School. Both programs were well received and the children sent cards thanking them for their participation. Mr. Rodgers reminded Chief Havas that our Dog Enforcement agreement with the City is in effect. Chief Havas will attend a meeting May 10, 2000 to discuss the proposed new 911 center.

#### ZONING OFFICERS REPORT

Mr. Pullen's written report records 5 permits were issued this month, in the amount of \$61,000.00. Mr. Pullen just received word that 1st Summit Bank was named as guardian of the Snyder case. The Snyders are still residing in Cherry Tree. The unlicensed, uninspected vehicle at 627 Diamond Blvd. has been removed. Mr. Witkosky called to say that he will be getting a permit to install a fence around the pond between his property and Mr. Waehner's property on Peden Lane. Letters were sent to two business owners who have not registered their businesses in the Borough.

On a complaint received from residents in the area of Bridgit's Day Care Center, Mr. Pullen has reviewed the State guidelines for Day Care Centers. He visited Ms. Morse's Center on Friday. He reviewed Borough and State guidelines with her. Mr. & Mrs. Green of 137 Dahlia Street submitted photo's to Mr. Pullen showing the debris from the garbage set out for weekly collection. The cans are left to set out all week. Mr. Pullen will monitor the Day Care Center as suggested by Solicitor Lovette and report to Council at the Committee meeting on May 2, 2000.



A letter will be sent to Ms. Morse for the payroll records since her business started, as recommended by Solicitor Lovette. Mr. Pullen continued to review the drawing and letter submitted by Mr. Chuck Homonko who is requesting to extend his driveway into Cherry Alley. This portion of Cherry Alley has never been accepted, however there are utilities in this Borough right of way and Mr. Homonko is aware that the borough would have the right to access it, if necessary. A motion by Mr. Danyluk was made to approve the request for paving and extending the driveway at 312 Leila Street (Cherry Alley), as outlined. Mr. Rodgers seconded the motion. All in favor, motion carried. A letter will be sent to Mr. Homonko informing him of the approval and if necessary the Borough has authority to access the area. Letters will be sent to abutting property owners advising them of Borough's permission for Mr. Homonko to pave and extend his driveway. Mr. Pullen reported that George Haidar is continuing to dump debris at 1027 Luzerne Street, against the Court order.

### FIRE COMPANY REPORT

Chief Butler's written report records 14 responses for the month of March. Chief Butler's report records that the pagers did not go off on the first activation on March 29th at 1:48 a.m. 911 had to reactivate the pagers. Chief Butler listened to the 911 tape and tested the pagers. Everything appeared normal. Chet Borosky stated that radio frequencies could have caused the problem. Cambria Co. 911 is planning to replace the present computer dispatch system and to upgrade the radio communications infrastructure. In Chief Butler's absence, Mr. Borosky submitted a letter requesting the placing of signs for the Jubilee, requesting extra police service during the Jubilee and the use of Borough trucks during the setting up and tearing down of Jubilee equipment. A motion was made by Mr. Rodgers to approve the placement of signs for the Jubilee, to allow use of Borough equipment and for additional Police use for the Jubilee, as requested. Seconded by Mr. Danyluk. All in favor, motion carried. A letter has been drafted by the Fire Company to local Legislators asking for support on legislative proposals that would improve the state resources and incentives for volunteer fire departments. Council approved the letter, with some minor corrections. Mr. Borosky reported that the Hilltop Ambulance Association did have a meeting last month. Chief Butler did inspect Lino's for possible violation of the State Fire requirements. He will make a full report at a later date.

### ENGINEER'S REPORT

Mr. Duray reported on the deficiencies and comments from the Department of Environmental Protection on the progress report for 1999 of the Corrective Action Plan. All items have been reviewed and a response will be mailed to the DEP this week. Until they receive the response they will hold the Equivalent Dwelling Units (EDU) request for 14 sewer taps for the year 2000. There are only a few Corrective Action items to correct. We will be in touch with Upper Yoder to review any of their Corrective Action corrections. Mr. Bosley reported to the Engineers that a land slide occurred at the PineBrooke holding pond area. Mr. Duray will monitor the slide and he will notify Pete Chiodo about the slide.



Mr. Burgo wishes to have a final inspection of the storage shed at the Soccer/Ballfield site. The water and power should be on before the inspection.

## COMMITTEES

### STREET COMMISSIONERS REPORT

Mr. Bosley's written report records that streets were salted, as needed. Transmission work was done on the 1998 truck. It was under warranty. Potholes were patched. Employees picked up gravel piles before Lower Yoder swept the streets. The streets were swept the week of March 27, 2000. Chipped the Christmas trees and other brush. Cleaned inlets after storms. Repaired the salt bin concrete post that was damaged. Worked on a new impeller housing for the old leaf machine. Finished Ray Alley step railing. Performed necessary maintenance on vehicles and equipment. Mr. Bosley reported that crack sealing will be done the weeks of April 17 and April 24. No trespassing signs were installed on the fence around the pond on Cheney Oak Drive. Began altering the banking boards on Olive Street basketball courts.

### STREET COMMITTEE

Mr. Danyluk had no report on Streets. He did discuss with Council the truck bid specs. for the proposed new truck. Mr. Bosley gathered information on the State Piggyback bids. Westmoreland Council of Governments has advertised for the trucks and Day Chevrolet is the State Piggyback dealer. After discussion, Mr. Rodgers made a motion to prepare the truck bids, to get three telephone quotes, providing the quotes are higher than the State Piggybacking prices and to choose the best price for the Borough and authorize the joining of Westmoreland COG. Seconded by Mr. Danyluk. All in favor, motion carried.

Mr. Danyluk reported that he has completed his final inspection of the sidewalks that were in violation last year. Mr. Danyluk suggested that we send the letters out giving the residents 10 days to call and report to us by whom and when the repairs will be made. Otherwise, the Borough will have the work done and the resident will be billed accordingly. Several new violations were found while Mr. Danyluk was inspecting and the property owners will be notified. A motion was made by Mr. Danyluk to hire Chad Rizzo at \$5.15 per hour for summer employment. Seconded by Mr. Rodgers. Mr. Rizzo did have a physical as is now required by the Borough. Mr. Rizzo will be also working for the Recreation Commission and the Borough will be reimbursed by the Recreation Commission. The Borough has received a letter from the Department of Transportation requesting the Borough sign an agreement for costs of the proposed traffic light at Harshberger St., Goucher St. and Sunray Drive in Upper Yoder Township. Council is holding off in signing the agreement until Engineers do a study and survey work has been done. The Secretary will check with Upper Yoder Township on this project. Mr. Bosley and Council discussed the Agility program and Mr. Bosley is still in contact with PennDot.

### ADMINISTRATION & PERSONNEL COMMITTEE

Mr. Strittmatter made a motion to approve Mr. James Carbaugh's letter requesting an additional 30 days medical leave until April 30, 2000. Seconded by Mr. Rodgers. Council reviewed and approved the new application for employment. Hospitalization will be paid until May 30, 2000, per Council.



**POLICE COMMISSION**

Mayor Koval reported that the meeting will be at Westmont on Tuesday, April 18, 2000.

**RECYCLING COMMITTEE**

No report. Cambria County Recycling bins have been removed from the Picking Treece Bennett Mortuary lot.

**INSURANCE COMMITTEE**

Mr. Kory had nothing new to report on Insurance. Mr. Fisher of FWF Insurance asked if he could possibly bid the Worker's Compensation renewal for 2000-2001. Council stated that if Mr. Fisher wanted to bid on his own he could do so. We would not be soliciting or notifying PIRMA that we are accepting quotes.

**BUDGET COMMITTEE**

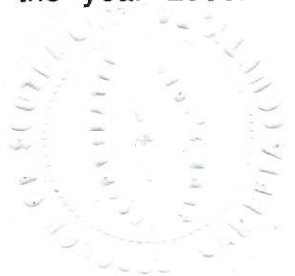
Mr. Rodgers reviewed the Budget stating that we at approximately 25% of our Budget. Mr. Rodgers reported that the Secretary and Mr. Zurilla will meet later this week to discuss the Police Pension fund and research files for Borough's total share in the Fund. Mr. Zurilla wants to review some issues before sending the reply to the Auditor General Police Pension Audit Review.

**SHADE TREE**

Mr. Krupa reviewed and discussed his final recommendation for the tree limb height. This will be finalized at the May 2, 2000 Committee meeting. A meeting will be advertised for May 1, 2000 at 7:00 p.m. to discuss Arbor Day and tree trimming for the Spring. The Newsletter is being printed and will be out next week. Mr. Krupa reminded Council that the Arbor Day celebration will be May 6, 2000 at 10:00 a.m., dedicating three trees to former employees of the Boro, who have recently passed away. Mr. Krupa asked that 12 holes be dug for Arbor Day, replace Tree City USA Signs and provide an employee for the Arbor Day celebration. Approved by Mr. Kory and Mr. Danyluk. All in favor, motion carried. Mr. Krupa has scheduled tree trimming to be done on Diamond Blvd.

**RECREATION/PLAYGROUND COMMITTEE**

Mayor Koval reported that the April meeting has been changed to April 18, 2000. The floor has been resurfaced at the Grove. All three participating Municipalities have made their contribution for the year 2000. They are waiting for the School Districts payment.



**BUILDING /GROUNDS COMMITTEE**

There are approximately 8 interested parties on the Wren Street property that is available for sale. Bids will be received until 3:00 p.m. on May 2, 2000. Council will open the sealed bids that evening at their Committee meeting. Three advertisements have been issued under classified, public notices and on the back page.

At this time, Mr. Danyluk made a motion to approve locking the downstairs door at 3:00 p.m. each day and approve a security mirror for the hallway, for security purposes. Seconded by Mr. Rodgers. All in favor, motion carried. Mayor Koval reminded Council that the fence should be continued along the Borough property line at Kastelics on Gardner Street.

**C.O.G. COMMITTEE**

No report.

**CHAPIN ARCH**

Mr. Kory had no further report. Solicitor Lovette is in the process of finalizing the deed transfer from the Citizen Cemetery (Grandview Cemetery) and the PennDot representatives will be getting back to Solicitor Lovette. A motion by Mr. Kory to approve Resolution No 2000-06 authorizing the President and Secretary of Southmont to sign an agreement with PennDot for the purchase of Chapin Arch right of way. Motion seconded by Mr. Strittmatter. All in favor, motion carried. The purchase price is \$100.00.

**MAYOR'S REPORT**

Mayor Koval reported that the Emergency Operation Plan has been updated and just needs approved by Council. A motion by Mr. Rodgers to approve Resolution 2000-03 amending Resolution 90-03 with the current signatures of the Emergency Management Operation Plan. Seconded by Mr. Strittmatter. All in favor, motion carried. A resident requested cross walking lines on Southmont Blvd. Mayor Koval will report to Council at the Committee meeting May 2, 2000.

**SOLICITOR**

Solicitor Lovette reported that there was a mediation meeting on April 14, 2000 ref.: Hartnett case. The mediator recommended that the case be settled for \$30,000.00. It appears that the case is now settled. After discussion, Mr. Rodgers made a motion to approve the settlement of \$30,000.00. Seconded by Mr. Kory. All in favor, motion carried.

**SECRETARY'S REPORT**

The Secretary's Report records that the annual Stroke Screening program sponsored by Lee Hospital has been scheduled for June 15, 2000 at 1:00 p.m.



**Secretary's Report cont'd**

A motion was made by Mr. Rodgers to approve Resolution 2000-04 for the disposition of records. Seconded by Mr. Danyluk. All in favor, motion carried. A motion was made by Mr. Rovansek to approve Resolution 2000-05 joining COG in making application for a grant for an intermunicipal cooperative project for animal control. Seconded by Mr. Rodgers. All in favor, motion carried. Mrs. Joan Roberts of the Garden Club submitted the plan for the planting on the Barnett Street side of Menoher Blvd. Her request is that Borough employees help in removing the trees and brush along the hillside. Mr. Kory made a motion to assist in the removal of the trees and brush up to the City line. Seconded by Mr. Krupa. All in favor, motion carried. Mr. Rodgers made a motion to accept the Secretary's report, seconded by Mr. Kory. All in favor, motion carried.

**TREASURER'S REPORT**

A motion was made by Mr. Rodgers to accept the March Treasurer's report as presented in the amount of \$263,357.82. Seconded by Mr. Kory. All in favor, motion carried.

**TAX COLLECTOR'S REPORT**

Mr. Rodgers noted for the minutes that we have received the March Tax Collector's report with no RE collections and no PC collections. Seconded by Mr. Kory. All in favor, motion carried. Mr. Quinn requested a decision on the Per Capita tax for the McCullough House residents. Mr. Danyluk made the motion to continue to collect the Per Capita taxes for all residents for the year 2000. Seconded by Mr. Rodgers. All in favor, motion carried. Mr. Quinn will receive a letter informing him of Council's decision.

**PAYMENT OF BILLS**

A motion was made by Mr. Krupa to approve payment of the bills in the amount of \$30,328.27. Seconded by Mr. Kory. Roll call: Mr. Rodgers, Mr. Rovansek, Mr. Danyluk, Mr. Strittmatter, Mr. Krupa, Mr. Kory and Mr. Pile. All in favor, motion carried.

**OLD BUSINESS**

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

**NEW BUSINESS**

Mr. Danyluk suggested that we look at an Ordinance in reference to cell phone use while driving. Copies will be submitted to Council. Committee meeting May 2, 2000. Council discussed the possibility of pay increases for Council. Meeting adjourned at 9:45 p.m. Respectfully submitted.

Judith A. Czyrnik,  
Borough Secretary

