

MINUTES
BOROUGH OF SOUTHMONT
November 18, 1996 7:30 p.m.

The regularly scheduled November Council meeting was called to order by President Pile at 7:30 p.m.. After the pledge to the flag, the November 18, 1996 meeting of Council convened.

PRESENT: President Pile, Mr. Rodgers, Mr. Danyluk, Mr. Leventry, Mr. Krupa, Mr. Kory, Mr. Davis, Mayor Robert Morgan, Zoning Officer: Fred Pullen, Engineer: Ron Walker, Solicitor: Daniel R. Lovette, West Hills Police: Chief Andy Havas, Street Commissioner: Jan Bosley, Secretary: Judith Czynnik, and Mike Butler, Fire Department

ABSENT: None

VISITORS: Mr. Herbert Ewald 335 Southmont Blvd.
Mr. Pete Chiodo Menoher Blvd.
Mr. Joseph Polantz 411 State Street

At this time President Pile asked for approval of the October 21, 1996 regular Council meeting minutes. There being no question or correction, Mr. Davis made a motion to approve the minutes as written. Seconded by Mr. Leventry. All in favor.

President Pile called on Mr. Ewald who asked to be on the agenda to express his complaints on the leaf collection, snow plowing, spring clean-up of anti-skid and general street maintenance complaints. Mr. Ewald stated that he has cleaned up the anti skid and leaves every year and that it takes the Borough Street Department more than a month to pick up his debris. He stated that the Street Department is not doing what they are hired to do. He asked that snow plowing be done closer to the curb, to eliminate the Borough hiring outside contractors to remove the snow. Mr. Pile recommended that the Street Committee look at Mr. Ewald's complaints. A copy will be made available to Mr. Leventry.

Mr. Pete Chiodo was on the agenda to make Council aware of a proposed plan he is going to submit to the Borough Planning Commission. His proposal is to sub-divide the former M & T Associates property, which has recently been purchased by Mr. Chiodo, under C & D Associates. The property, along with the other property owned by C & D, to be known as Pinebrooke will be divided into 21 lots. Currently the properties are zoned as commercial and will need to be presented to the Zoning Hearing Board for an appeal to re-classify as a residential area. After the Planning Commission and the Zoning Hearing Board approval, the project will be submitted to Council for final approval of the proposal.

Mr. Chiodo's plan is to construct Cheney Oak Drive further up (about one half the way) through the property to a cul-de-sac area, at this time. After the roadway is completed with proper sanitary, storm, water connections, wet land inspections, curbing and the specified fire hydrants are installed, Mr. Chiodo will come to Council with a petition to accept the roadway. Chief Butler is concerned that the correct size water lines and fire hydrants be installed per specifications. All construction will be equal or exceed Borough code specifications. A long range plan is to construct another road to be called Pinebrooke Drive. This will be a private lane, pending the proposed building of Pinebrooke Apartments. After further concerns about the responsibility of the specification for the sewers and connections Council agreed to again review the subdivision after the Planning Commission and Zoning Hearing Board have met and made their recommendations.

Mayor Morgan reviewed with Council a letter he received from Mr. James Schirk of 21 Harding Street who is requesting a handicapped parking place along Stillray Street. He is legally handicapped. It was Council's decision to have the Street Committee review the request. Mayor Morgan will call Mr. Schirk.

POLICE CHIEF'S REPORT

Chief Havas's written October report records revenues for the month of September in the amount of \$973.47. Chief Havas reviewed with Council his investigation of the Stillray Street storage sheds. Mr. Pullen and Chief Havas met October 22 1996 with residents of Stillray Street to review their complaints of debris, alcoholic beverages, high weeds, hours of operations and etc. at the sheds. Chief Havas reported that the weeds and high grass were not in excess of the Borough requirements. There was some debris and Chief Havas has advised the current owner that it must be cleaned-up. Chief Havas discussed the concerns with Mr. Gordon Smith and Ms. McKelvey owners of the storage sheds. He recommended that a possible second entrance and exit could be made, possibly specific hours of operations and or some security could be set up. He informed the owners that Council might be making some recommendations along that line. Mr. Pullen and Chief Havas both are recommending that a one-way sign be posted at the entrance of the operation, so upon exiting the sheds the one way is visible. Generally, Chief Havas felt the area was in good condition. The Street Committee will look at the possibilities of installing the one-way signs.

After questions from Council, Chief Havas reported that there have been several burglaries in the Westmont, Southmont area. West Hills Regional Police are working with Upper Yoder and Richland who also have had similar burglaries. Chief Havas reported that he has not had any accidents reported on the Southmont Blvd. - Olive Street curve since the milling of the roadway.

ZONING OFFICER'S REPORT

Mr. Pullen's report records 3 new permits were issued this month in the amount of \$2,600.00. The year to date estimated construction cost is \$469,225.00. Mr. Klanchar of Dahlia Street is making progress on Mr. Pullen's last inspection. An inspection was done on the property at 507 Christine Court, which came up at the October 21, 1996 Council meeting. A letter was written to the realtor who is handling the sale of the property, notifying him of the concerns.

Mr. Pullen reported that he had been in touch with Attorney Kiniry to let Council know in letter form of his concerns on the proposed junked vehicle ordinance. Another question is recreation vehicles or boats parked on streets or private property

FIRE COMPANY REPORT

Chief Butler's report records the Department answered 16 emergency calls this month. Chief Butler stated that the plans for the proposed building have been sent to Department of Labor & Industry for approval. Chief Butler will notify the Building Committee when C & D Associates gives them to the Fire Company.

Mike Butler and Chet Borosky attended the State Fire Academy and tested for the National Qualification Board. Both passed the written requirements, Mr. Butler qualified for Fire Instructor Level I and Mr. Borosky qualified for Fire Officer Level I. They have up to one year to complete the skills portion of the Certification process. President Pile took this time to say Thank You to the Fire Department for the dinner banquet invitation extended to Council and held on November 16, 1996.

ENGINEER'S REPORT

Mr. Walker reported to Council on three quotes received for the televising of approximately 5000 feet of sanitary sewer lines. State Pipe Services was the low bidder at \$.78 per foot. Bids were received from several other contractors. Roto Rooter of Johnstown did not bid. A motion by Mr. Davis was made to accept the low bid of \$.78 per foot from State Pipe Services to televise selected sanitary sewer lines along with storm sewer lines between Diamond Blvd. and Arlington Street and at the end of Squash (Grape) Alley. Seconded by Mr. Rodgers. All in favor. Mr. Walker informed Council that State Pipe can start next week. He will also notify Upper Yoder Township Supervisor's and Engineers that we are having State Pipe in to do this televising. They might want to have some problem areas televised at the same time. Mr. Walker reported that he did not look for the DEP to issue any immediate action to Upper Yoder Township on the infiltration into Southmont's sanitary sewer lines since they are currently under DEP's Corrective Action Plan.

The paving on Leon Street caused a "hump" at the jointure of the street and driveway at 110 Leon Street has been corrected. The driveway and street level seam caused the resident's car to scrap bottom going in and out of the driveway.

Mr. Walker received highway sign specifications for Mr. Bosley regarding installation of new signs at the curve on Southmont Blvd. and Olive Street. They will be advisory signs.

Mr. Walker is working on preliminary cost estimates for the Soccer/Ballfield restrooms and storage shed. A survey will need to be done to be sure the estimated 25'L x 14'W facility can be used in that designated area.

COMMITTEE REPORTS

STREET COMMISSIONERS REPORT

Mr. Bosley's written report records that the Borough employees cleaned the Borough building, cut grass at Borough properties, cleaned inlets off after storms and picked up branches and other debris. Began picking up leaves with both leaf machines. The engine on #9, the large tubed machine is no longer operable. The other machine #12 is also out of service and at Grimaldi's for repair. Leaves are being collected with the front end loader, mainly because it is too wet to use the leaf machine. Replaced several manhole riser and lids on Borough streets. Replaced damaged guardrail at curve on Southmont Blvd. and Olive Street. Crack sealed Diamond Blvd., Daisy Street and concrete sections of Gardner, Queen, and Leon Streets. Completed our annual fall brush clean-up the week of September to October 4. Used the chipper the following week to clean-up around the Fireman's shed.

Mr. Bosley will deliver a load of dirt to Mr. Gaydos and re-paint the double yellow center line back on Southmont Blvd.-Olive Street curve. Mr. Rodgers stated that he felt there are a lot of problems with the traffic light at Menoher and Gardner Street. Vehicles are turning left on to Gardner Street on green only rather than waiting for the green left turn arrow

STREET COMMITTEE

No further report.

ADMINISTRATION & PERSONNEL COMMITTEE

Mr. Rodgers reported they would like the full Council to meet at 4:00 p.m. Wednesday, November 20, 1996, to review evaluations of the Borough Secretary/Treasurer and Street Commissioner. If anyone cannot attend please turn your evaluations in to the Secretary.

Borough owned property plot sheets have been turned over to the Street Committee for recommendations.

And Mr. Rodgers would like an executive session called after the Borough agenda items are done. Executive session to discuss AFSCME negotiations.

RECYCLING COMMITTEE

Mr. Danyluk reported that the volume was up for October because of the newspaper recycling. New shocks were installed on the bin doors of the trailer. Newspaper recycling will resume on April 5, 1997. From 8:00 a.m. to Noon.

INSURANCE COMMITTEE

Mr. Kory reported that the PIRMA Liability application has been submitted for the 1997 quote. Liability Insurance expires 4-1-97. We bid the insurance usually every two years, next year would be the year to bid, if that is Council's wish.

BUDGET COMMITTEE

Mr. Rodgers reviewed the tentative budget for 1997. There will be no changes in the tax rate, it will remain at 23.5 and there is a new Cable TV contract with a new 5% franchise fee, based on services. All other taxes remain the same. Most Council members participated in the Budget preparations and are aware of the line items receipts and expenditures.

Mr. Rodgers made a motion to approve the tentative budget, advertise it for final adoption at the December meeting and make it available for public inspection. Seconded by Mr. Davis. All in favor. Motion carried.

A motion was made by Mr. Rodgers to have the Solicitor prepare a tax ordinance to establish the real estate tax rate at 23.5 mills for General Fund expenditures and to advertise the same. Motion seconded by Mr. Davis. All in favor. Motion carried.

Mr. Rodgers asked Solicitor Lovette if we needed to advertise the new Cable TV franchise fee change. Solicitor Lovette will check.

SHADE TREE

Mr. Krupa has compiled the materials to make application for the Tree City USA award. The Newsletter will be mailed by the end of the month.

RECREATION/PLAYGROUND COMMITTEE

Mr. Pile reported that Upper Yoder Township fixed the sewage treatment operations at the Ridge. The advance playground payments have been repaid to Southmont and Upper Yoder Township. The Commission is looking to do some work at the Ridge and will apply for a Keystone Grant.

BUILDING COMMITTEE

No report.

C.O.G. Report

Mr. Krupa attended the November meeting of COG and reported the procedure for the 1997 and 1998 dues. Because of the Cambria County Commissioners offer to increase membership, COG will accept \$400.00 for new memberships and the current member municipalities will pay \$200.00 towards their \$600.00 membership for 1997. In 1998 current members will pay \$400.00 and then \$200.00 will be paid by the Commissioners. New members must sign a two year contract. A resolution has been prepared for each municipality to sign. A motion by Mr. Danyluk to approve Resolution 9605, accepting the payment schedule for the 1997 and 1998 membership payments. Seconded by Mr. Davis.

COG has formed a committee to follow-up on the Greater Johnstown Water Authority fire hydrant controversy. Some discussion was held on a CPO program, Certified Public Office & Officials training program.

CHAPIN ARCH

UPJ Geography students will clean up around Chapin Arch early April 1997. They will clean up the garbage and Mr. Kory asked that the Borough employees pick up the bags and haul to our dumpster.

MAYOR'S REPORT

Mayor Morgan reported that codification quotes are being reviewed and money has been budgeted to codify our Ordinances in 1997.

The Cable TV audit has been completed by Gentile, Weiner, Catanese & Vulcan, Certified Public Accounts. Mr. Dan Lenzy stated that no notable discrepancies were found in the audit. Boundary problems were the only noted problems.

SOLICITOR

Solicitor Lovette has reviewed the re-draft of the Leaf Ordinance No. 405 providing for the recycling of leaves. A motion by Mr. Danyluk to approve the adoption of Leaf Ordinance No 405, seconded by Mr. Krupa. All in favor. It was properly advertised. Solicitor Lovette reviewed with Council the outcome of the the decision of Judge Long in the embezzling case of a PA Municipal Services former employee. Solicitor Lovette felt it was not necessary to respond to the Judge for input on the sentencing. He felt Judge Long will handle the penalty decision properly. All but approximately \$30,000 has not been paid by the Insurance Bonding Company. Solicitor Lovette feels there will not be any jail time.

SECRETARY'S REPORT

Mrs. Czyrnik's written report records we have received copies of the work that was done by DER in the upper part (between Wonder and Leon Street) of the Cheney Run in July of 1982. This paper work establishes the Borough as owner of the stream and responsible for maintenance or improvements. It would become part of our Cheney Run Fund. A motion was made by Mr. Rodgers to have the Engineers prepare a cost estimate for the piping of this area of Cheney Run. Motion seconded by Mr. Davis. All in favor. An audit for PennDot was done on the 1996 paving program and Hannah Alley was not an acceptable project for Liquid Fuels payment. When we receive the County Aid Liquid Fuels we will have to reimburse \$2,943.18 to the Liquid Fuels fund from our General Fund.

TREASURER'S REPORT

Mr. Rodgers made a motion to accept the Treasurer's report with a balance of \$253,979.06 in the General Fund for October 1996. Mr. Davis seconded. All in favor, opposed none. Motion carried.

TAX COLLECTOR

Mr. Quinn's written report records \$900.11 collected in Real Estate taxes and \$22.00 in Per Capita collections for the month of October. Total amount of \$922.11. A motion by Mr. Rodgers accepting the Tax Collector's report, seconded by Mr. Leventry. All in favor, motion carried. Mr. Quinn has stricken off the Conemaugh Valley Hospital from the tax roles, as per directive in agreement.

APPROVAL TO PAY THE BILLS

After questions and review, a motion was made by Mr. Leventry to approve the bills for a total of \$24,613.14. Seconded by Mr. Krupa. Roll Call: Mr. Rodgers, Mr. Danyluk, Mr. Davis, Mr. Krupa, Mr. Kory, Mr. Leventry and Mr. Piite all in favor, opposed none. Motion carried.

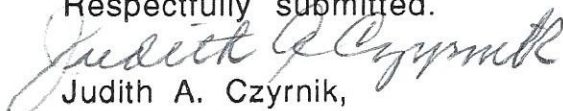
OLD BUSINESS

Review of Priority lists and assignments of each Committee.
Review the "Tickler List"

NEW BUSINESS

Council called an executive session at 9:55 p.m. to discuss Labor Negotiations
Council reconvened 10:05 p.m. Council adjourned 10:07 p.m.

Respectfully submitted.


Judith A. Czyrnik,
Borough Secretary