

**MINUTES**  
**BOROUGH OF SOUTHMONT**  
May 15, 2000 7:00 p.m.

The scheduled May Council meeting was called to order by President Pile at 7:00 p.m. After the pledge to the flag, the May 15, 2000 meeting of Council convened.

**PRESENT:** President Pile, Mr. Rodgers, Mr. Rovansek, Mr. Krupa, Mr. Strittmatter, Mr. Kory, Mayor Lary Koval, Secretary/Treasurer: Judith Czyrnik, Solicitor: Daniel R. Lovette, Engineer: Dave Duray, West Hills Police: Chief Andy Havas, Fire Dept: Michael Butler, Zoning Officer: Fred Pullen

**ABSENT:** Mr. Danyluk, Jan Bosley, Street Commissioner

**VISITORS:** John Green 137 Dahlia St. Anne Kindracik 109 Violet St.  
Julia Messner 202 Violet St. Betty Coleman 133 Dahlia St.

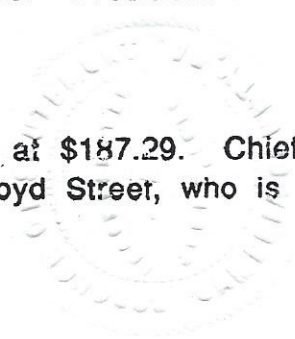
President Pile asked for approval of the April 17, 2000 minutes. A motion was made by Mr. Krupa to accept the minutes as written. Seconded by Mr. Strittmatter. All in favor, motion carried.

At this time President Pile called on the visitor's who wanted to know the outcome of the Public Committee Meeting in reference to the Day Care Center on Violet Street.

Several residents in the neighborhood of a Day Care Center at 206 Violet Street wanted to express their concerns and complaints. At the last meeting Council had some concerns as to whether State guidelines or Borough Ordinance prevails in this situation. Solicitor Lovette has found that Borough Ordinance prevails and that the Day Care Center will have to comply with the Zoning Ordinance, as written. Zoning Ordinance #359 states that no more than 6 children, 1 employee, other than the owner of the residential business, specified hours and available parking spaces are specified as part of this Ordinance. Solicitor Lovette informed the concerned residents that the Zoning Officer will give notice to the owner of the Day Care Center and inform her that anything in excess of our Ordinance will be considered a violation and she will be given a specified time frame to come into compliance with the conditions of our Ordinance or close the business down. The complaint was given to Council, Council turned it over to the Zoning Officer, Mr. Pullen and he will work with Solicitor Lovette on the notice to Bridgit Morse, owner of the Day Care Center. The Zoning Officer will enforce the Zoning Ordinance. The concerned residents will be notified of the outcome. President Pile told them to call the office anytime for an update.

**POLICE CHIEF'S REPORT**

Chief Havas's written report records revenues for the month at \$187.29. Chief Havas is in receipt of a letter from Mr. Anthony Trofino of 159 Floyd Street, who is concerned about volume and speed of the traffic on this street.



Mr. Trofino had called the West Hills Police previously and he feels nothing has been done to monitor the problem. Chief Havas stated that two sets of lines have been painted on Floyd Street. All streets in the Borough are 25 miles per hour. He really doesn't know what more can be done. Chief Havas did talk with Mr. Trofino. Mr. Rodgers feels something should be done with State Street also, as speeding is a problem. Mr. Rodgers suggested a Stop sign midway between Thoburn and Helen Street might help to solve the problem. Mayor Koval will look at the area. The police have painted the lines on other main arteries, for police to check the speed of motorists.

Chief Havas reported on a meeting for the proposed merger and new building center for the Emergency Management Operations of Cambria and Somerset Counties. They discussed areas where the Center might be built and funding for the center. They talked about putting the Center near the Cambria County Airport. Somerset feels they need a bigger system; they plan to increase to 800 MHZ. Chief Havas stated that 911 is possibly going to 800 MHZ as proposed by the Federal Communications Commission. Chief Havas feels that the municipalities (fire and police) would need to be part of the funding because their equipment will become obsolete with that much more power. Chief Butler said that personnel would need to be retrained again because of the much broader area. For Fire Departments this will change all the frequencies. Chief Butler understands that there would be two dispatch centers. They could possibly be in the same building.

On another issue, Chief Havas stated that they still have some children's whistles available for the young children. They are for when they get lost or are in danger. There were some incidents with BB guns fired at vehicle windows and the storage sheds on Diamond Blvd. This is happening in other areas also. Chief Havas also had a complaint on the foul language at the basketball and roller hockey courts. An Officer stopped and talked with the kids at the courts.

#### ZONING OFFICERS REPORT

Mr. Pullen's report records 6 new permits were issued for this month with a construction cost of \$48,261.00. Mr. Pullen checked on the Day Care Center several times since the last meeting. It appears to be in order. Mr. Haidar continued to dump debris but has now leveled the area and is dumping clean fill. A letter has been sent to Mr. Robert Ghezzi for the dumping on Orchard Street. He will post a No Dumping signs on the property. Mr. Pullen checked on an unlicensed vehicle on a property at 104 Dahlia Street. There is a for sale sign in the window. Solicitor Lovette told Mr. Pullen to send him a letter as he is in violation of our Ordinances. Mr. Pullen has just received a call about the property on Stillray Ave. at the property of Joseph Knapp. Mr. Pullen had some problems previously when trying to have the property cleaned-up a few years ago. He will inspect with Chief Havas. Another complaint has been received about a property at 124 Mabel Street. This will also be inspected. The Snyder property is being cleaned out by the 1st Summit Bank. No other details are available.

### FIRE COMPANY REPORT

Chief Butler's written report records 13 responses for the month of April. Five members of the Fire Department attended 14 sessions of fire school. Two members attended the Structural Burn Class and three members attended the Vehicle Fire Class sessions. Chief Butler report there was only one call during the month of April. Jubilee starts in two weeks and Chief Butler asked for any Council volunteers during that week.

Chief Butler reported on the fire safety inspections done at Lino's on April 5, 2000. Chief Butler acting as the Assistant Fire Marshall found several safety violations that need to be corrected. Fire exits were blocked, two had pad lock hardware on them and lighted exit signs were not working. There were 5 portable fire extinguishers in the building, two had expired service dates. The extinguishers were of different types and some were not adequate to cover the area that wis in need of coverage. The fire alarm system needs to be updated. One detector was broken and the kitchen, storage and downstairs side seating area had no detectors. The electrical system was not adequately marked or labeled in case of an electrical emergency. Chief Butler had several other safety suggestions such as, the parking area and illegally parked vehicles that could possibly block fire emergency vehicles; install a natural gas shut off valve in the kitchen area, the area where the entertainment is placed in the downstairs lounge and some others that Chief Butler listed. Also, there were several unanswered questions such as what type of cooking oil is used, where the main shut off for the gas for the building is located, what type automatic fire extinguisher system is installed above the cooking area and other questions listed. The manager was to check on these issues and contact Chief Butler; to date he has not received any answers. There will be a second inspection done in July. Council is very concerned that these issues be corrected and discussed on what the next action should be to having the owner respond to these violations. Mr. Pullen suggested that the Chief investigate if the apartment on the second floor has a fire escape exit. Council wants Chief Butler to follow up on these issues.

A revised letter will be sent to the Legislators in reference to support of state resources and incentives to encourage recruitment for volunteer fire departments.

### ENGINEER'S REPORT

Mr. Duray reported on a Change Order for the 2000 Street Paving contract in the amount of \$4,661.20 for saw cutting and sealing on Leila Street and State Street. These areas were discovered during the prejob meeting on May 3, 2000. A motion was made by Mr. Rodgers to approve Change Order #1 in the amount of \$4,661.20, seconded by Mr. Krupa. All in favor, motion carried. The Department of Environmental Protection response on the progress report for 1999 of the Corrective Action Plan has been forwarded to DEP. Equivalent Dwelling Units (EDU) request for 14 sewer taps for the year 2000 are on hold until we receive DEP's approval. Council would like to meet with Mr. Duray on May 30, 2000 to discuss the Corrective Action report and balance of areas that the Borough needs to complete. The workshop will be at the Committee meeting set for May 30, 2000 at 7:00 p.m.

The Luzerne Street/Pyshnik property sanitary sewer line specs. are ready to advertise and Solicitor Lovette will prepare the easements for bid opening at the June meeting. This was approved at the last meeting.

Mr. Duray would like to have a final inspection of the storage shed at the Soccer/Ballfield site. The water is installed and the power needs to be taken to the building. Mr. Duray would like this done by the June meeting.

## **COMMITTEES**

### **STREET COMMISSIONERS REPORT**

Mr. Bosley's written report records that two banking boards were raised at the Olive Street basketball court. Adapter plates were made to make the adjustment. Routine maintenance was done on the vehicles and equipment. Cut grass at Borough properties. Continue to check the sanitary sewer designated manholes. Cleaned up debris, piles of gravel and limbs. Replaced a few Stop signs. Sealed cracks on various streets the weeks of April 17 and 24. Installed the "No trespassing" signs and a lock on the gate at the holding pond on Cheney Oak Drive in the PineBrooke Development area. President Pile and Mr. Bosley met this afternoon and discussed the maintenance departments list of duties. Mr. Rodgers made a motion to advertise the truck specs for bid opening June 19, 2000. Seconded by Mr. Kory. All in favor, motion carried.

### **STREET COMMITTEE**

In Mr. Danyluk's absence, President Pile reviewed a permit application that was prepared for PennDot for installation of a traffic light at the intersections of SR 3002 (Harshberger Street), Goucher Street SR 3007 and Sunray Drive Township Road 415. After discussion, a motion was made by Mr. Rovansek that this be tabled until next month for Mr. Rovansek and Mr. Strittmatter to check on PennDot's plan for the intersection. Seconded by Mr. Strittmatter. All in favor, motion carried. Mr. Strittmatter will report back to the Committee meeting on May 30, 2000.

### **ADMINISTRATION & PERSONNEL COMMITTEE**

Mr. Rodgers noted that we have received a bid on the Wren Street property. It was due May 2, 2000. This bid was received after the bid opening. Mr. Rodgers made a motion to open this bid, seconded by Mr. Krupa. All in favor, motion carried. President Pile opened the bid from Andrew and Sandra King in the amount of \$18,500.00. Mr. Rodgers moved that this bid be referred to Committee for review. Seconded by Mr. Kory. All in favor, motion carried. Mr. Rodgers made a motion to accept Mr. James Carbaugh's resignation (letter stating that he has made a decision to retire as of April 19, 2000), with thanks and appreciation for his years of service. Mr. Strittmatter recommended that we amend the Policy and Procedure Manual under "Selection Process for Employment", (pg 8) to add the new policy passed by Council previously, for new employees to have a physical exam before they start work. The position available since Mr. Carbaugh's retirement has been advertised in the Johnstown Tribune.

**POLICE COMMISSION**

Mayor Koval reported that the next meeting will be at the Southmont Municipal Building on Tuesday, May 16, 2000. The Commission has received a letter from Lower Yoder Township to consider them to become a member to the West Hills Regional Police. Council discussed the request. This will be discussed at the WHRPC monthly meeting.

**RECYCLING COMMITTEE**

No report.

**INSURANCE COMMITTEE**

Mr. Kory had nothing new to report on Insurance, other than that a Loss Control inspection was done and it has been recommended that emergency lighting be installed in the Council room. Mr. Bosley will get the fixture's needed. Signs will be installed above the doors. The Worker's Compensation policy expires in August. PIRMA will submit a new policy and cost.

**BUDGET COMMITTEE**

Mr. Rodgers reported that the Budget is in good order. Mr. Rodgers discussed the price increase from Ehrlich for pest control. The Secretary will check on if the actual increase is for each service or just the monthly fee increase.

Mr. Rodgers reviewed the Committee meeting with Consultant, Tom Zurilla and the calculations prepared to determine the monies to be returned to the Commonwealth per the Auditor General's Audit report for the Southmont Borough Police Pension fund. The Borough is responsible for the refund of the two years (1979,1980) of State Aid determined from the records provided by the State, in the amount of \$21,046.00. The calculations of interest earned from State contributions were in the amount of \$99,167.00 and will be returned as well. A motion was made by Mr. Rodgers to approve this action . Seconded by Mr. Strittmatter. Roll call: Mr. Rodgers, Mr. Rovanseck, Mr. Strittmatter, Mr. Krupa, Mr. Kory and Mr. Pile. All in favor, opposed none. Mr. Danyluk absent. Motion carried. Mr. Rodgers commended Mr. Zurilla for his fine job in determining the proper calculations. Southmont Borough has previously returned State Aid contributions from 1973 to 1977 and 1981 thru 1986 in the amount of \$79,146.00

**SHADE TREE**

Mr. Krupa reviewed the Arbor Day celebration on May 6, 2000. Twelve Normand Maple trees were planted. Three trees were dedicated in memory of former employees of the Boro, Mr. Weaver: former Councilman, Mrs. Smith: former Borough Secretary and Mr. Buffenmyer: former Street Commissioner, all who have recently passed away. The families appreciated the dedication. Mr. Rodgers commented that the families of those who the trees were dedicated to, really appreciated the presentation honoring their loved ones.

Mr. Krupa submitted the draft of the Shade Tree limb heights ordinance on sidewalks and roadways. Solicitor Lovette will prepare the Ordinance. A motion to prepare and advertise the Shade Tree Limb Ordinance was made by Mr. Krupa and seconded by Mr. Kory. All in favor, motion carried.

#### **RECREATION/PLAYGROUND COMMITTEE**

Mayor Koval reported that the bridge at the Ridge needs some pipe realignment and replacement. Upper Yoder agreed to do the work if they can use our highlift and operator for the digging required. Mr. Krupa made a motion to approve use of our machine, and seconded by Mr. Rodgers. All in favor, motion carried.

#### **BUILDING /GROUNDS COMMITTEE**

Mr. Kory spoke with Chief Butler about painting the storage shed above the Diamond Playground. Chief Butler stated that this was a maintenance shed and they do not paint it. After discussion, it was decided that the Borough will paint the shed and coordinate the paint schedule with the Fire Company and Borough part time employees. A motion was made by Mr. Rodgers to approve painting the fireman's shed and the new block on the new garage. Seconded by Mr. Kory. A letter will be sent to the Fire Department. Emergency lighting and Exit signs will be installed in the Council Room.

#### **C.O.G. COMMITTEE**

Mr. Rovanseck did attend the meeting. No action reported.

#### **CHAPIN ARCH**

Mr. Kory had no further report. Solicitor Lovette had sent everything to PennDot for them to prepare the deed for the Chapin Arch right-of-way sale to Southmont Borough. Solicitor Lovette has not heard from PennDot. Mr. Kory will call the Southwestern Conservancy and PennDot to check on the progress.

#### **MAYOR'S REPORT**

Mayor Koval reported that he checked the request for a crosswalk on Southmont Blvd. at Harding Street. Mayor Koval feels a crosswalk should not be painted where there is not a full intersection. Some letters were sent to residents with overhanging trees and high weeds. A letter will be sent to the property owner of 124 Mabel Street for high grass and weeds.

#### **SOLICITOR**

Solicitor Lovette reported on a letter received from George Haidar's attorney.

#### **SECRETARY'S REPORT**

A motion was made to accept the Secretary's report.

**TREASURER'S REPORT**

A motion was made by Mr. Rodgers to accept the April Treasurer's report as presented in the amount of \$296,506.92. Seconded by Mr. Kory. All in favor, motion carried.

**TAX COLLECTOR'S REPORT**

Mr. Rodgers noted for the minutes that we have received the April Tax Collector's report with RE collections of \$52,118.93 and PC collections of \$4,473.03. Seconded by Mr. Krupa. All in favor, motion carried.

**PAYMENT OF BILLS**

A motion was made by Mr. Strittmatter to approve payment of the bills, with the addition of \$27.94, in the total amount of \$25,352.40. Seconded by Mr. Rovansek. Roll call: Mr. Rodgers, Mr. Rovansek, Mr. Strittmatter, Mr. Krupa, Mr. Kory and Mr. Pile. All in favor, motion carried. Mr. Danyluk, absent.

**OLD BUSINESS**

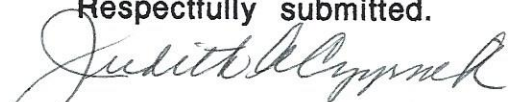
President Pile asked for review of items on the "Tickler List". Items were reviewed, removed or re-listed. Some new items will be added. Completed items were removed. Mr. Krupa reported that he attended the Cambria County's Spring Banquet. Mr. Krupa and Mrs. Czyrnik will attend the United Way annual meeting at 11:00 a.m. on May 25, 2000.

**NEW BUSINESS**

President Pile asked that we approve the Special Meeting Minutes and the Committee Meeting note of May 2, 2000. A motion was made by Mr. Rodgers to approve the minutes and notes of May 2, 2000 meeting. Seconded by Mr. Strittmatter. All in favor, motion carried. We have had two calls in reference to the mosquitoes at stagnant ponds, one on Mabel Street and one on Southmont Blvd. Council discussed calling Health Inspector, Dr. Richard Kastelic to advise us on any action that might be necessary to monitor the prevention of a possible outbreak of any illnesses caused by mosquitoes.

Meeting adjourned at 8:50 p.m.

Respectfully submitted.



Judith A. Czyrnik,  
Borough Secretary

