

MINUTES
BOROUGH OF SOUTHMONT
November 15, 2004 7:00 p.m.

The scheduled November Council meeting was called to order by President Pile at 7:00 p.m. After the pledge to the flag, the November 15, 2004 meeting of Council convened.

PRESENT: President Pile, Mr. Rodgers, Mr. Graham, Mr. Kory, Mr. Strittmatter, Mr. Danyluk, Mr. Krupa, Mayor: Gerry Sloat, Engineer: Tom Gray, West Hills Police: Chief Andy Havas and Detective George Musilin, Solicitor: Daniel R. Lovette, Fire Chief: Chet Borosky, Street Commissioner: Jan Bosley, Borough Manager: Loretta Spak and Zoning Officer: Dyke Orms.

ABSENT: Mr. Graham had a prior commitment he left meeting at 7:35 P.M.

VISITORS: Anthony Pinizzotto Greater Johnstown Water Authority Member; Attorney George Wolfe, Engineer Pete Chiodo and Ms. Karen Garman, 101 Helen Street, sewer problem; Ms. Sharon Jasper, 149 State Street, handicap parking; Mr. Frank Santichen.

President Pile asked for approval of the October 18, 2004 Council Minutes and the Committee Meeting Notes of November 9, 2004. A motion was made by Mr. Rodgers to accept the Minutes and Notes as submitted. Seconded by Mr. Strittmatter. All in favor, motion carried.

President Pile introduced Mr. Tony Pinizzotto who is an At-Large Water Authority member to speak; Mr. Pinizzotto wanted to say "thank you" to Council for their approval of his reappointment.

President Pile invited Attorney George Wolfe to speak on behalf of Ms. Garman, 101 Helen Street, on her sanitary sewage seepage problem. Ms. Garman recognizes that this is not a Borough problem; they would like the Borough to notify Mr. Burkert, 309 Palliser Street, in writing of the problem and to try to resolve with the cooperative effort of Mr. Chiodo, Mr. Wolfe and Southmont Borough Council. Mr. Bosley summarized what has been completed and that Mr. Burkert is working to solve the problem, he will keep Mr. Chiodo updated. A letter will be sent to Mr. Burkert notifying him that the sewage problem needs to be corrected.

President Pile invited Ms. Jasper, 149 State Street, to speak on her concerns on a handicap parking slot placed by her driveway. Ms. Jasper feels she is being harassed by Mr. Kenney, 146 State Street, on parking issues near their residence/driveways. Mr. Graham stated the Council approved a handicap parking slot to Mr. Kenney because of his handicap placard. Ms. Jasper is requesting the handicap parking slot be moved to a different location; Mayor Sloat, Police Chief Andy Havas and Mr. Bosley will look into the situation and make a recommendation to Council.

POLICE CHIEF'S REPORT:

Police Chief Havas is looking into the parking violation amounts for the different Boroughs of Westmont, Brownstown, Southmont and Lower Yoder Township. Solicitor Lovette is checking if the amount should be stated in a Resolution or an Ordinance. Mr. Krupa made a motion for a

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blanket parking fine in the amount of twenty-five dollars (\$25) per violation. Seconded by Mr. Kory. After some discussion Mr. Krupa rescinded the motion; seconded by Mr. Kory. Mr. Krupa made a motion to approve a blanket parking fine in the amount of fifteen dollars (\$15) per violation. Seconded by Mr. Kory. Six in favor one against, motion carried. Police Chief Havas stated that the uniform (same day as Johnstown and Westmont) trick or treat night went well. He had only a few complaints, very little vandalism; the police were out patrolling all the different areas. The only complaints Council received were having trick or treat night on a Sunday. The letters from residents, Ms. Mishler-152 Violet St. and Ms. Seifert-127 Palliser St., concerning parking issues were discussed. The street is a public right of way, we cannot reserve parking as long as the vehicle is inspected and licensed it can be on the streets. Ms. Spak will send a letter informing Ms. Mishler and Ms. Seifert there will be no Council action. Mr. Graham had a prior commitment and he left the meeting at 7:35 p.m. Chet Borosky will forward owner information to Ms. Spak for a vacant lot on Palliser that has shrubs, which need to be trimmed back.

ZONING OFFICERS REPORT

Mr. Orm's report records activity as of 11/10/04; fifty-two (52) permits and a total construction of \$185,105. Ms. Spak has created a listing of UCC Certified Third Party Agency's that perform code work in Cambria County who are approved by Labor & Industry; taken from Labor & Industry webpage. This list will be forwarded to applicant when zoning permit is requested. A question on subdivision has been raised; a cover letter requesting review with a plot plan should be forwarded to Council. Council would need to approve any subdivision within the Borough into lots or parcels of less than five (5) acres each.

FIRE COMPANY REPORT

Chief Borosky's written report records 10 responses during the month of October. There were two calls between the hours of 10 PM to 7 AM. The Hilltop Ambulance report was received and is on file. Mr. Strittmatter will look into Chief Borosky's request on a County program that uses prisoners or people paying off fines for laborers to paint the fire company shed. Mr. Bosley will look into prices, paints and quantities needed to paint over the galvanized fire company shed, this project will be done in the spring. The holiday raffle tickets will be going out soon; Southmont averages a twenty-six percent (26%) return on raffles. Council would like to go over the fire company income statement at the beginning of the year, after the holidays.

ENGINEER'S REPORT

Mr. Gray is still working up a quote for compiling five (5) year paving projection information for the GIS. Mr. Gray is working on the NPDES Storm Water permitting second year information on mapping, monitoring and public awareness. Mr. Gray is looking into options of pulling municipalities together for public awareness to cut down on

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cost; one option is reestablishing the Stonycreek Water Shed Association. Mr. Gray will contact Robert Fedore, Executive Director of Cambria-Somerset Council of Governments (COG), as another option. Mr. Gray is still waiting for reply from American Sigma on corrective action letter dated November 3, 2004 on the flow meter repairs. Mr. Krupa made a motion to go out (advertise) for engineer proposals to be interviewed by the January meeting. Seconded by Mr. Kory. All in favor, motion carried. Mr. Graham absent.

COMMITTEE REPORTS

STREET COMMISSIONERS REPORT

Received Mr. Bosley's written report; majority of time was spent on picking up leaves. Mr. Kory stated nice job on leaf collection. Mr. Bosley's written summary of the GIS for Local Government Conference that he attended October 28th & October 29th in State College was received. Mr. Bosley received some useful information and would be interested in attending again next year. The pickup truck's rebuilt transmission should be completed by week ending Nov. 27th. The sewer video camera system check off list will be updated for initials of Borough employee signing out/in the camera. The traffic counter the Borough is borrowing from LTAP is placed on State Street, next week it will be placed on Southmont Boulevard; the counters will be monitored and the results/data will be held for Committee Meeting. Mr. Bosley will find out who has set up the traffic counter on Southmont Blvd. and report back to Council.

STREET COMMITTEE REPORT

Mr. Strittmatter made a motion to advertise the removal of the "except right turn" from the stop sign on Orchard Street at Olive Street. Seconded by Mr. Rodgers. All in favor, motion carried. Mr. Graham absent.

ADMNS. & PERSONNEL COMMITTEE

Mr. Krupa will be meeting with Mr. Bosley and Ms. Spak on Wednesday, November 17th to discuss their evaluations. A meeting will be scheduled in early December with all employees and Mr. Krupa to discuss the policy and procedure manual, procedure updates and safety. When date is set council will be informed and any Council member is welcome to attend. Mr. Krupa made a motion to approve the hiring of two (2) part time employees, John Feathers and Frank Kleinman. Seconded by Mr. Rodgers. All in favor, motion carried. Mr. Graham absent.

POLICE COMMITTEE

Mayor Sloat noted the committee meets tomorrow, November 16th; they are looking into different options to reduce the health insurance rates for the small group, eleven (11) officers. Mayor Sloat will update Council with information when received.

RECYCLING COMMITTEE

Mr. Kory noted that the 2004 Recycling recap was received. Mr. Kory mentioned the resignation of Rosalie Danchanko from the intergovernmental group due to health problems, not sure if group will continue.

INSURANCE COMMITTEE

Mr. Rodgers made a motion to approve Resolution 2004-11 to allow full-time employees to choose percentage contribution into the Pennsylvania Municipal Retirement System; minimum three percent (3%) to maximum ten percent (10%). Seconded by Mr. Strittmatter. All in favor, motion carried. Mr. Graham absent. Ms. Spak will be following up with PMRS for the draft ordinance and agreements for improving the retirement benefits to proposal two, effective 1/1/05; Council would like draft copies before next Council meeting scheduled for December 6th (need to advertise).

BUDGET COMMITTEE

Mr. Strittmatter made a motion to advertise the proposed budget that is dated November 2, 2004. Seconded by Mr. Rodgers. All in favor, motion carried. Mr. Graham absent. A committee meeting is scheduled for November 30th the proposed 2005 budget will be placed on the agenda.

SHADE TREE REPORT

Mr. Krupa mentioned he spoke with Mr. Richard Cauffiel, 25 Harding Street, in reference to the wooded lot on the corner of Harding Street and Corn Alley; tree service cut down trees, did trimming of tops and limbs left debris behind. Mr. Cauffiel understands that this is not a Borough issue. Ms. Spak will check Ordinances and see if any would fall into this scope. Mr. Krupa discussed Ms. Mishlers', 152 Violet Street, concern on street being dark, trees were trimmed back still not enough light, Mr. Krupa met with Penelec to discuss options. Mr. Krupa made a motion to utilize two other poles on street, move one light and add a second light to the monthly bill. Seconded by Mr. Rodgers. All in favor, motion carried. Mr. Graham absent. Mr. Krupa mentioned that a letter, a copy of Ordinance #69 and previous newsletters were sent to Cloud Climbers Tree Service making them aware of Southmont's Shade Tree Ordinances. A tree on Palliser Street (wind damage) and five (5) trees on Gardner Street were removed, with residents signing replanting agreements.

RECREATION COMMITTEE

President Pile had nothing new to report. The minutes for the September meeting were received.

BUILDING/GROUNDS REPORT

Mr. Kory was happy to hear that Fire Chief Borosky is making plans to paint the shed at Diamond.

COG REPORT

President Pile mentioned the COG Christmas Party is Tuesday, December 7th at Anthony's Restaurant.

GRANDVIEW COMMITTEE

Mr. Kory mentioned the write-up on the Chapin Arch in the Tribune-Democrat on Sunday, November 7th, he will be updating our webpage. Ms. Spak will contact Grandview and remind them to contact the County Assessment office for the Grandview Monument Sales, Inc., portion of building for taxes, we received a business permit.

GREATER JOHNSTOWN WATER AUTHORITY

The minutes from the November 5, 2004 meeting were received. Mr. Pinizzotto stated they will be in the new building by December; there will be a grand opening, all to be invited, in February. The transition is going smoothly.

Lower State Street Committee

A traffic counter is on State Street to monitor volume for the week ending November 19th.

MAYOR'S REPORT

Mayor Sloat had nothing new to report.

SOLICITOR'S REPORT

Solicitor Lovette updated Council on the County paying a portion of the bill for the 2004 tax collector audit done by Kline Kimlin and the tax agreement for Grandview parking lot used by the hospital; Solicitor Lovette should have answer on both by next meeting. Solicitor Lovette made Council aware of Question & Answer section of the November Borough News stating both speed bumps and speed humps present a big liability.

MANAGER'S REPORT

Mr. Rodgers made a motion to accept the Manager's Report. Seconded by Mr. Kory. All in favor, motion carried. Mr. Graham absent.

TREASURER'S REPORT

Mr. Rodgers made a motion to approve the October's Treasurer Report in the amount of \$298,953.70. Seconded by Mr. Kory. All in favor, motion carried. Mr. Graham absent.

TAX COLLECTOR'S REPORT

Mr. Rodgers noted we received the October Tax Collector's report with Real Estate revenues at \$1,935.75. Seconded by Mr. Kory. All in favor, motion carried. Mr. Graham absent.

PAYMENT OF BILLS

Mr. Rodgers made a motion to approve payment of bills in the amount of \$40,731.81 as presented. Seconded by Mr. Krupa. Roll Call: Mr. Rodgers, Mr. Kory, Mr. Danyluk, Mr. Strittmatter, Mr. Krupa and Mr. Pile all in favor, opposed none. Mr. Graham absent.

OLD BUSINESS

President Pile asked to add the fire company income statement and interest rates (Pligit/Portage) to the long term "tickler list" and to add the movement and new street light on Violet to street committee "tickler". President Pile mentioned a thank you letter was received from AFSCME and the five Laurel Management employees (Jim Popchak, Mary Vrabel, Mike Szewczyk, Paul Vrabel and Frank Santichen) for allowing them to present their situation to Council. Mr. Rodgers and President Pile updated Council on information learned from seminars they attended in reference to Tax Collector compensation.

NEW BUSINESS

Mr. Danyluk made a motion for Solicitor Lovette to draft a resolution, if needed, for the ACRE proposal (seeking to override local laws controlling corporate factory farms). Seconded by Mr. Rodgers. All in favor, motion passed. Mr. Graham absent. The next committee meeting is scheduled for Tuesday, November 30th items on the agenda will be budget, tax collector compensation, draft handicap parking resolution, speed humps and traffic counters on State. Ms. Spak and Mr. Bosley will look into Southmont Borough decals for municipal trucks and street equipment. Reminded all that the next Council meeting is scheduled for Monday, December 6, 2004.

At 9:00 p.m. an executive session was called to discuss personnel issues. At 9:59 p.m. Council reconvened.

There being no further business, a motion was made by Mr. Rodgers for adjournment of the November 15, 2004 meeting at 10:00 p.m. Seconded by Mr. Strittmatter. All in favor, motion carried.

Respectfully submitted,

Loretta Spak, Borough Manager

11/19/2004 9:11 AM