

MINUTES
BOROUGH OF SOUTHMONT
February 17, 2003 7:00 p.m.

The scheduled February Council meeting was called to order by President Pile at 7:00 p.m. After the pledge to the flag, the February 17, 2003 meeting of Council convened.

PRESENT: President Pile, Mr. Rodgers, Mr. Graham, Mr. Kory, Mr. Danyluk, Mr. Krupa, Mayor: Gerry Sloat, Solicitor: Daniel R. Lovette, Secretary/Treasurer: Judith Czyrnik, Street Commissioner: Jan Bosley, Engineer: Dave Duray, Zoning Officer: Dyke Orms, West Hills Police: Detective George Musulin

ABSENT: Councilman, T. Strittmatter-out of town, Fire Chief: Chet Borosky,

VISITORS: None

President Pile asked for approval of the January 20, 2003 minutes and Committee Meeting Notes of January 28 and February 11, 2003. A motion was made by Mr. Graham to accept the Minutes and Committee Meeting Notes, as submitted. Seconded by Mr. Krupa. All in favor, motion carried.

At this time President Pile called for the Zoning Officers Report.

ZONING OFFICERS REPORT

Mr. Orms reported that there was only one permit this month. Western PA Orthopedic and Sports Medicine applied for a permit to move the front wall of their building further into the right of way. The construction cost for this project is \$200,000.00. Mr. Orms refused the permit because of the set back requirements. A Zoning Hearing Board meeting is scheduled for March 13, 2003 at 7:00 p.m. Nothing further to report. Council requested that when The Johnstown Brewing Co. applies for a permit, Mr. Duray look at the permit. No permit has been received to date. Solicitor Lovette stated that the Liquor Control Board has approved the liquor license. Mr. Orms will check to be sure manufacturing is allowed in the Commercial Zone.

POLICE CHIEF'S REPORT

In Chief Havas's absence, Det. George Musulin reviewed the January report. Revenues for the month of January were \$160.11. Officers have completed their in-service training requirements. Officer Lose attended a Disaster/Terrorists training Seminar in Somerset. Det. Musulin was reminded about residents shoveling or blowing snow into the streets. Det. Musulin asked that Mr. Bosley give the Department the addresses of the residents putting snow in the streets and the Police will notify them. Mr. Bosley also reported on vehicles parked the wrong way on a street and parking away from the curb in order to open the drivers' door. This is in violation of the Vehicle Code. No further report.

FIRE COMPANY REPORT

In Chief Borosky's absence Council reviewed the written report recording 18 calls. Four calls were received for downed trees. Four calls were received between the hours of 10 p.m. and 7 a.m. The Fire Department responded to a call at 114 Palliser Street, Carbon Monoxide odor detected in the house. The Department held a work detail to shovel out hydrants. The Hilltop Ambulance report is on file.

ENGINEER'S REPORT

Mr. Dave Duray of P.C. Rizzo & Associates has reviewed with Council the 2003 Street Paving Cost Estimates. After discussion, Mr. Rodgers made a motion to advertise with alternate bids, to keep within the Borough Budget. Seconded by Mr. Danyluk. All in favor, motion carried. Mr. Strittmatter-out of town.

Mr. Duray continued with data from the Department of Environmental Protection with reference to the NPDES Storm Water Phase II. A General Permit is needed to register storm sewer discharges. The deadline for the application is March 10, 2003. The purpose of Phase II is authorized by Federal EPA to improve water quality. A lengthy discussion was held, after which Mr. Graham made a motion to apply for a General Permit with DEP. Seconded by Mr. Krupa. All in favor, Mr. Pile, opposed, motion carried. (5-1) Mr. Strittmatter-out of town. The General Permit will need Ordinances written, however, the DEP has not prepared any to date. The Engineers are working on the 2003 Corrective Action Plan and request for sewer taps (EDU'S. The Engineers are also working on the annual waste load report for Johnstown Redevelopment Authority. This report is due February 28, 2003. Mr. Duray reviewed the Cambria County Conservation notice of intent for Cambria County to write the Act 167 plan for Stonycreek River. Mr. Duray was not sure if the Cheney Run is included in this plan. He will be in contact with the County on the Plan.

COMMITTEE REPORTS

STREET COMMISSIONERS REPORT

Mr. Bosley's written monthly report records that employees cleaned the Borough building, recycled when weather permitted, and monitored designated sanitary sewer lines. Picked up Christmas trees to chip at a later date. Performed maintenance on vehicle and equipment. Installed new locks on garage doors, old locks wore out frequently. Inspected new sewer tap at 301 Gardner Street. They have been invoiced. Weiderhott Electric was in and installed siren along Menoher. Verizon has to extend phone line from old siren pole to new siren pole. The sirens can be programmed after that. Mr. Bosley and Mr. Danyluk met with Paul Burns to discuss the agility plan to work out an agreement for them to paint yellow lines. Every thing is in order, however, Mr. Tim Miller of AFSCE will not sign the work order for PennDot to do the work in Southmont, per Mr. Burns. This issue has been turned over to the Personnel Committee.

Solicitor Lovette suggested to Council that they be in touch with Attorney Brierton in reference to this issue. A motion was made by Mr. Rodgers to contact Attorney Brierton in reference to ASCME's refusal to sign the Agility Plan for Southmont. Seconded by Mr. Graham. All in favor, motion carried. Mr. Strittmatter-out of town. Mr. Bosley's weekly report noted that LawnTamer's is snow blowing the sidewalks when 1" of snow falls.

Several members of Council reported residents' calls have been very complementary to the street department for the good job in snow removal.

STREET COMMITTEE REPORT

Mr. Danyluk had nothing further to report.

ADMINISTRATION/PERSONNEL COMMITTEE

Mr. Rodgers called for an Executive Meeting to discuss Negotiations and Administration & Personnel issues. (7.48 p.m.) Meeting reconvened at 7:54.p.m.

President Pile appointed Mr. Danyluk as co-chairman of the Negotiations Committee and to sign the AFSCME responses to AFSCME grievances on behalf of Council. (Mr. Strittmatter is out of town.)

POLICE COMMITTEE

There will be a meeting Tuesday February 25, 2003, at 7:00 p.m. at the Westmont Borough building. Solicitor Lovette reviewed with Council that Solicitor's from other entities of the Police Commission have met and reviewed some details of a possible merger between the West Hills Regional Police and Upper Yoder Twp. Police. Nothing further to report.

RECYCLING COMMITTEE

Report for January has been submitted. No other report this month.

INSURANCE COMMITTEE

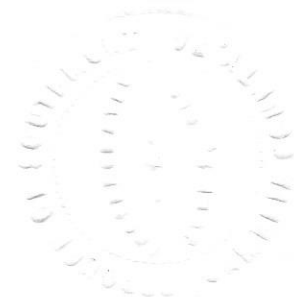
Mr. Kory discussed the Liability Insurance renewal. We have not received a quote from Naugle Insurance for the year 2003-2004. PIRMA has submitted a quote of \$9,286.57 for the General Liability, Auto. Insurance and Public Officials Liability. The current insurance coverage will expire 4-1-03.

BUDGET COMMITTEE

Mr. Rodgers had nothing further to report.

SHADE TREE REPORT

Mr. Krupa asked Council for any suggestions on Arbor Day 2003. The Advisory Committee will be meeting within the next few months.



RECREATION COMMITTEE

Mr. Pile reported that the Recreation Committee has hired Steven Vickroy as Recreation Executive Director. The Ridge holding tank will be done by the end of February. A request for an advance on the installation cost of the holding tank in the amount of \$2,306.25 was discussed. It was agreed that the Recreation Commission should use the \$2,415.00 Borough share of the Reserve Fund contributed in 2001. A motion was made by Mr. Danyluk to authorize the Recreation Commission to use the Southmont share of the Reserve Fund for this project and replace that amount back into the Reserve Fund after the PA grant money is received. Seconded by Mr. Graham. All in favor, motion carried. Mr. Strittmatter-out of town. Southmont has made the third and fourth quarter payment for 2003 to the Recreation this month. The Ridge treatment plant will be torn down in March.

BUILDING/GROUNDS REPORT

Mr. Kory stated that everything is in good order and he has received several calls from residents thanking the street department for the good snow removal during the past storms.

COG REPORT

Mr. Graham reviewed with Council that COG is still awaiting insurance papers before the camera will be housed in Southmont. COG has worked out an agreement with PennDot Agility for two uses of the camera for refurbishing the trailer. A plan to rent out flow meters was discussed. More on that issue in the future.

GRANDVIEW COMMITTEE

Mr. Kory reported that he spoke to Mr. Ott of the Cemetery Association. They are aware of the pending paving of Millcreek and the letter to the State in reference to dead and overhanging trees on Menoher.

MAYOR'S REPORT

Mayor Sloat had nothing to report.

SOLICITOR'S REPORT

Solicitor Lovette prepared a letter to Mr. Alex Goodman's attorney to explain the overflow problem at Wren Street onto his property.

Solicitor Lovette has prepared proposed Ordinance No. 438 accepting Cheney Oak Drive in its entirety and it has been advertised. A motion was made by Mr. Rodgers to approve Ordinance No 438 accepting Cheney Oak Drive. Seconded by Mr. Graham. All in favor, motion carried. Mr. Strittmatter-out of town.

Solicitor Lovette discussed the ad-hoc cost of living increase for the retired police officer. A letter was received from Herb Howell requesting the cost of living increase and an increase in the survivors' percentage. Council discussed the issue. On the consensus of Council the request for an increase on the survivors' benefit will remain at the original 50%.

A motion was made by Mr. Rodgers to authorize Solicitor Lovette to prepare an ordinance providing an ad-hoc cost of living increase for retired police officers who meet the requirements and providing for the survivors' benefits at 50% of the current pension. Seconded by Mr. Kory. All in favor, motion carried. Mr. Strittmatter-out of town. Council discussed the cost of living increase and feel it should be taken from the General Fund account, rather than purchasing an additional annuity. Mrs. Czynnik will calculate the data on the retired officers and report to Solicitor Lovette.

SECRETARY'S REPORT

Mrs. Czynnik's written report records that quotes were received for snow shoveling around the building. Council recommended Lawn Tamers be called for snow shoveling services when necessary. They charge \$30.00 per occurrence without salt and \$40.00 with salt. New Computers have been received and we are now in the process of networking and transferring programs. Identification tags should be done next week. Mr. Rodgers made a motion to accept the Secretary's report, seconded by Mr. Danyluk. All in favor, motion carried. Mr. Strittmatter-out of town.

TREASURER'S REPORT

A motion was made by Mr. Rodgers to accept the Treasurer's Report for January in the amount of \$264,706.35. Seconded by Mr. Graham. All in favor, motion carried. Mr. Strittmatter-out of town.

TAX COLLECTOR'S REPORT

A motion was made by Mr. Rodgers noting that the borough received the Tax Collector's Real Estate report for January in the amount of \$664.77. Seconded by Mr. Graham. All in favor, motion carried. Mr. Strittmatter-out of town. The list of returns to the County is on file.

PAYMENT OF BILLS

After questions and discussion, a motion was made by Mr. Krupa to approve payment of the bills in the amount of \$34,765.78. Seconded by Mr. Kory. Roll call: Mr. Rodgers, Mr. Graham, Mr. Kory, Mr. Danyluk, Mr. Krupa and Mr. Pile. Mr. Strittmatter-out of town. All in favor, opposed none. Motion carried. 6-0

OLD BUSINESS

Mr. Pile asked for review of the items on the "Tickler List". Items were reviewed and removed or re-listed.

NEW BUSINESS

Mr. Pile recommended two residents who are willing to serve as appointments to the Boards & Commission. Mr. Danyluk made a motion to appoint Mrs. Sheree Speicher to the Zoning Hearing Board/BOCA Code Board for a five year term and Mr. William Trevorrow to the Planning Commission for a four year term. Seconded Mr. Graham. All in favor, motion carried. Mr. Strittmatter-out of town.

A motion was made by Mr. Rodgers to approve any members to attend the PSAB Spring Conference on March 16-18. Seconded by Mr. Danyluk. All in favor, motion carried. Mr. Strittmatter-out of town.

Mr. Danyluk reported on the recent vote at the Greater Johnstown Water Authority. Mr. Danyluk expressed disappointment with Southmont representative vote on the issue of the proposals of Laurel Management Co. and Resource Development and Management Inc., on the management of the Water Authority.

There is an Intergovernmental Cooperation informational meeting scheduled for February 26, 2003 at 7:00 p.m. at LGI Room at the Goucher Street Elementary School.

A motion was made by Mr. Danyluk to purchase the PSAB Sunshine Act and Open Records guide (4th Edition) for \$25.00 and approve Mr. Orms attending the . Seconded Mr. Rodgers. All in favor, motion carried. Mr. Strittmatter-out of town.

At this time President Pile called for adjournment of the February 17, 2003 meeting of Council. Meeting adjourned 8:50 p.m.

Respectfully submitted,

Judith A. Czyrnik

Judith A. Czyrnik,
Borough Secretary