

MINUTES
BOROUGH OF SOUTHMONT
January 18, 1999, 7:00 p.m.

The regularly scheduled January Council meeting was called to order by President Pile at 7:00 p.m. After the pledge to the flag, the January 18, 1999 meeting of Council convened.

PRESENT: President Pile, Vice-President Leventry, Mr. Rodgers, Mr. Krupa, Mr. Kory, Mr. Rovanssek, Mr. Strittmatter, Street Commissioner: Jan Bosley, Mayor Lary Koval, Engineer: Dave Duray, Solicitor: Daniel R. Lovette, Secretary: Judith Czynnik, West Hills Police: Chief Andy Havas, Zoning Officer: Fred Pullen, and Fire Department: Mike Butler

ABSENT: none

<u>VISITORS:</u> Pete Chiodo, C & D Associates	Robert Forquer
Attorney George Gvozdich	Jim Dailey
Jean Safko and John Safko	Rick Reed

President Pile asked for approval of the December 14, 1998 minutes. A motion was made by Mr. Strittmatter to accept the minutes as written. Seconded by Mr. Krupa. All in favor, motion carried.

VISITORS

President Pile called upon Mr. Chiodo who was in attendance to ask the indulgence of Council to plow and cinder the upper portion of the Cheney Oak Drive area up to the The McCullough House, Assisted Living facility. Mr. Chiodo stated that he would sign a hold harmless release to the Borough for any damages. He would cold patch the manholes and catch basins to dispel any plow damage. Due to the icing problems the plowing contractors hired by the McCullough House could not take care of the problems. Mr. Chiodo feels it is a serious concern. President Pile asked why the roadway was not completed as was outlined in the agreement. While no set date was established for the paving completion of the roadway, the Fall of 1998 was the new scheduled completion goal. Solicitor Lovette referred to the Subdivision and Land Development Agreement, signed on September 23, 1997, where it states that the Borough would not accept the road and project until it was completed. Therefore, no maintenance, which would include snow plowing would be done until that time. Solicitor Lovette informed Council that he had asked Mr. Duray to estimate what the cost would be to complete the project, in the event the Borough should have to hire contractors to finish the project. The projected cost would be \$35,875.00. Currently, the Letter of Credit and cash in the 1st Summit Bank is \$48,276.82. The road itself is part of this projected cost.

President Pile stated that this would have been better discussed earlier in the Fall, when Council agreed to meet with his representatives, to listen to his request that Southmont Borough snow plow up to the McCullough House this winter. Mr. Chiodo and his representatives were not available. The meeting was canceled.

Mr. Rodgers referred to sections of the official Borough Minutes from November 1996 thru 1997 and 1998, with reference to how many times the Borough discussed the project and problems to expedite the completion of this Development. After review and discussion, Mr. Rodgers feels we should continue with current policy of no maintenance until the roadway is complete and accepted by the Borough. Mr. Rodgers made a motion to complete this roadway by May 15, 1999 for the Borough to accept, or the Borough will complete the roadway using the Escrow account and charging for Solicitor, Advertising, and Engineers fees. Motion seconded by Mr. Leventry. All in favor. Further discussion was held, and Attorney Gvozdich remarked that the problems were with the General Contractor and the Paving Contractor, until this was resolved they ran out of time with weather conditions and the asphalt plants closing. Attorney Gvozdich felt from a practical point of view the Borough is better equipped to plow the snow than the McCullough House or the Developer is. The Developer and McCullough House is willing to pay the costs. Solicitor Lovette suggested that Council have an Executive Meeting to review the request for plowing Cheney Oak Drive, before the roadway has been accepted by the Borough. There was very extensive discussion and review of the problems.

An executive session was called at 7:40 p.m. Council resumed at 7:55 p.m. President Pile called for a motion on the subject of plowing Cheney Oak Drive. No motion was made, therefore Council continued with Borough Business.

Visitor, Rick Reed was asked to attend the meeting by Mr. Strittmatter, in reference to the fire siren. Mr. Reed completed a 30 pager test in the area. About 95% of the pagers were heard, within the Borough and some outside the Borough. Mr. Forquer commended the Mr. Reed is putting a lot of time into the concerns of the siren and residents complaints. Mr. Reed feels some adjustments must be made with the siren and the pagers to be in tone with Cambria County 911 for a better signal. Mr. Reed will continue to take steps to find a solution. There appears to be a dead spot at Butler's Garage. More input is being gathered.

Mr. Jim Dailey was in attendance to offer his services to continue as an Advisory Board representing Southmont to the Hilltop Ambulance Association. Mr. Dailey stated that Southmont could add an alternate to the Board, in the event the one representative could not attend a meeting. Mr. Dailey mentioned that it was not an ambulance that was stuck in the snow on Cheney Oak Drive, it was a transport vehicle, from outside the area.

POLICE CHIEF'S REPORT

Chief Havas reviewed the written report as submitted. Revenue for the month of November were \$793.47 and \$615.13 for December. Chief Havas had nothing else to report, other than he is having on street vehicles moved for the snow plowing when necessary. Also, several unlicensed vehicles have been removed. Some discussion was held on a letter received concerning the sidewalks not being cleared around the Middle School. Chief Havas remarked that it is near impossible for the walks to be cleaned along Menoher Blvd. No response is necessary. There being no questions, Council accepted the report.

FIRE COMPANY REPORT

Chief Butler reported on the written report submitted for December. There were 20 emergency run or assists during the month. There were three assists at structure fires and one salvage detail during the month. One incident was within the Borough. Two injuries occurred. Fireman Mike Leckey was treated and Chief Butler refused treatment.

Chief Butler submitted the Yearly Report. It is reported that there were five fires within the Borough. The Department attended 61 fire school sessions for a total of 231 hours and handled 41 weather related calls. The Hilltop Ambulance Report is on file. President Pile reminded Chief Butler that we needed a list of the 1999 fire department activities, for Insurance purposes.

ZONING OFFICER'S REPORT

Mr. Pullen's written report records 3 new permits were issued and 1 permit was denied since the last report. The estimated year to date construction total of \$39,058.00. Permit #9904 was denied on the advise of Zoning Solicitor Kiriry. Applications was for a non-resident to construct a small shed and garage to house his lawn service equipment. He does not have a Business License, nor does he own property in the Borough. Also, the property in question is zoned residential. Mr. Pullen is awaiting advice concerning our Ordinance #378 on Solid Waste., in reference to the Haidar property on Luzerne Street. Some discussion was held on residential dumping and the definitions outlined in the Solid Waste Ordinance #378. These items will be discussed at an Administration & Personnel Committee meeting, to be set later. No further report.

ENGINEER'S REPORT

Mr. Dave Duray of Hinks & Locher Engineers remarked that Hink's & Locher will be doing the yearly report for the DEP Corrective Action. Mr. Duray reported that specifications are being prepared for the Ballfield/ Soccer Field completions. Specifications will be ready for March bidding. Council directed Mr. Duray to prepare a final calculations and reasonable time schedule for the completion of the PineBrooke Development area, for the next meeting of Council. Council needs some time line to follow.

COMMITTEE REPORTS

STREET COMMISSIONER

Mr. Bosley's written reports records basic cleaning on the Building. Cleaned catch basin after storms. Finished cleaning up leaves. Repaired the old leaf machine, welded the impeller housing and had the radiator and gasoline tank repaired. Dug ditches until weather changed, to finish running sewer and water into the restroom/storage building. Took new truck back to Fiore in Altoona on December 11 to have noise in transfer case repaired. It had to be taken back a second time for a new transfer case and transmission. Parts and labor are under warranty. Smoke and dye tested sanitary sewers - Floyd, Gardner and Helen Street. Had a snow plow installed on the 1994 Dodge Ram pick up truck. Used the Dodge to plow streets during the repair to the 1998 truck. Over a thousand miles were put on the 1998 in one week of snow plowing. Replaced lights at the front of the garage with new fluorescent fixtures for better illumination.

STREET COMMITTEE

Mr. Leventry reported that some residents are putting the snow in the street and blocking visibility and making the street narrower. Mr. Leventry thinks Council should consider an Ordinance regarding disposition of snow. Mr. Leventry set a meeting for February 2, 1999 at 7:00 p.m., to discuss this and several other items referred to Committee. No further report.

ADMINISTRATION & PERSONNEL COMMITTEE

Mr. Strittmatter made a motion to approve the appointment of Mr. Henry Von Blohn to the Alternate Zoning Hearing Board, for a one year term and re-appoint Mr. Louis Leventry as an alternate to the Police Commission, for a two year term. Seconded by Mr. Kory. All in favor, motion carried. Mr. Strittmatter has submitted his final audit summary, on the Independent Audit. This will be reviewed at a Committee meeting. Mr. Strittmatter feels that his Committee should discuss the siren and or pager. this can be discussed at the February 2, 1999 meeting.

POLICE COMMISSION

Mayor Koval reported there is a Police Commission meeting on January 19, 1999 at Westmont.

RECYCLING COMMITTEE

No report.

INSURANCE COMMITTEE

Mr. Kory spoke with our representative to PIRMA, Mr. John Azpel about a quote for the 1999/2000 Liability Insurance which is due for renewal 4-1-99. Some items will be added to the policy and some increases will be made in the misc. tools and equipment. A dividend check was received from the Workers Compensation Fund in the amount of \$4,921.76.

BUDGET COMMITTEE

After review and discussion Mr. Rodgers made a motion to approve the necessary account transfers to balance the Final 1998 Treasurers Report. Seconded by Mr. Leventry. Roll Call: Rodgers, Rovansek, Strittmatter, Krupa, Kory, Leventry and Pile. Motion carried. All in favor. Council accepted the Cheney Run Fund in the amount of \$10,000.00, approving necessary transfers to the fund and the Highway Aid Fund at \$35,932.76. All in favor.

SHADE TREE

Mr. Krupa stated that the Shade Tree Commission planted 5 trees. No other report.



RECREATION/PLAYGROUND COMMITTEE

Mayor Koval reported that the Winter brochure was mailed during this month. Selective tree cutting has started at the Ridge. The Commission will attend the Westmont Hilltop School Board meetings. Mr. Pile mentioned that other Municipalities are sending an employee to help out at the Ridge periodically.

BUILDING /GROUNDS COMMITTEE

No report.

C.O.G. COMMITTEE

Mr. Rovanseck stated that the meeting was cancelled.

CHAPIN ARCH

Mr. Kory had nothing to report until Spring.

MAYOR'S REPORT

During the month Mayor Koval spoke with a residents in reference to removing reflectors in the right of way in Court Alley. They were removed.

SOLICITOR

Solicitor Lovette reviewed the information about the Taxpayers Bill of Rights Disclosers and statements, for compliance of Act 50 of 1998. Solicitor Lovette suggested the Borough approve the documents. A motion was made by Mr. Rodgers to approve Resolution No. 98-05, the Local Taxpayers Bill of Rights. Seconded by Mr. Krupa. All in favor, motion carried.

After review of the survey documents at the Merlo property, clearly the hedges are infringing on the sidewalk. We will wait to see what Mr. Merlo proposes to do now that he is aware of the location of the hedges, in the right of way.

SECRETARY'S REPORT

Mrs. Czyrnik's report records that PLIGIT account cards need signed. Borough Clerk, Cindy Bednarz will be operated on January 19, 1999 for a triple by-pass heart operation. Council approved finding a substitute for temporary duty.

TREASURER'S REPORT

Council approved the Final Treasurer's report for the month of December in the amount of \$164,325.22 in the General Fund balance. Mr. Rodgers moved the motion to approve, and Mr. Kory seconded. All in favor, motion carried.

TAX COLLECTOR

Mr. Quinn's written report for the December Report records \$2,181.63 in Real Estate collections and \$181.50 in collections for Per Capita. A motion was made by Mr. Rodgers that we received the Tax Collector's report, seconded by Mr. Kory. All in favor, motion carried.

APPROVAL TO PAY THE BILLS

After review and there being no questions, a motion was made by Mr. Rodgers to approve the Payment of the Bills in the amount of \$62,305.41. Seconded by Mr. Krupa. Roll Call; Rodgers, Rovansek, Strittmatter, Krupa, Kory, Leventry, and Pile. All in favor, opposed none.

OLD BUSINESS

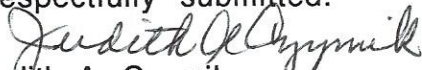
Items on the "Tickler List" were discussed. Items were reviewed, removed and re-listed.

NEW BUSINESS

The PSAB Spring Legislative Conference is March 21 thru March 23, 1999. This year it will be held at the Holiday Inn- Harrisburg/Hershey. A motion was made by Mr. Rodgers that if any member of Council wanted to attend, they had approval. Seconded by Mr. Kory. All in favor. Please let the Secretary know for reservations.

Council adjourned 9:20 p.m.

Respectfully submitted.


Judith A. Czyrnik,
Borough Secretary

