

**MINUTES**  
**BOROUGH OF SOUTHMONT**  
**March 20, 2000 7:00 p.m.**

The scheduled March Council meeting was called to order by Vice-President Rodgers at 7:00 p.m. After the pledge to the flag, the March 20, 2000 meeting of Council convened.

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

**ABSENT:** President Pile-Family Emergency

**VISITORS:** None

Vice President Rodgers reported that President Pile had a family emergency at 6:30 p.m. Vice-President Rodgers asked for approval of the February 21, 2000 minutes. A motion was made by Mr. Krupa to accept the minutes as written. Seconded by Mr. Danyluk All in favor, motion carried.

At this time Vice-President Rodgers called for a motion to open the bids for the year 2000 Street Paving Project. A motion was made by Mr. Krupa and seconded by Mr. Danyluk. All in favor, motion carried.

Four bids were received and read by Engineer, Dave Duray , as follows:

	Base Bid	Base Bid No 2
Derry Construction	80,525.40	83,887.80
Alternate	92,265.10	96,121.90
Whitaker Roads	69,646.10	70,178.10
Alternate	79,927.98	80,459.98
Quaker Sales	75,789.15	76,521.15
Alternate	87,043.75	87,775.75
Ligonier Construction	86,274.75	92,229.00
Alternate	99,078.85	105,980.60

After discussion about the superpave material opposed to the ID Material, a motion was made by Rovansek to accept the lowest responsible bid in the amount of \$79,927.98 Base Bid with alternate (Edward Street), pending Engineer's and Solicitor's review. Seconded by Mr. Kory. Roll Call: Rovansek, Danyluk, Strittmatter, Krupa, Kory, Rodgers, all aye. Pile, Absent. Motion carried.

### POLICE CHIEF'S REPORT

West Hills Regional Police written report records the revenues for Southmont Borough fines for February of \$635.60. The Officer Phil program has started. Ferndale and Upper Yoder departments are assisting in the program. This program includes drugs and alcohol. Officer Mulkey gave a presentation to a group of Boy Scouts at the United Methodist Church in order to obtain their merit badges. A general crime prevention presentation was given at the Elks Lodge on Locust Street early in March. Chief Havas reported that the gun lock sales went very well. About 200 were sold. Some locks are still available. Chief Havas reported that he has received Southmont's Animal Control Agreement with the City and it is in place. Solicitor Lovette commended Chief Havas on his testimony in the Haidar hearing in Cambria Court. Chief Havas was cross examined by Mr. Haidar's attorney and Judge Swope interrupted and stopped the proceedings and gave Mr. Haidar 90 days to clean up the area. Solicitor Lovette has rescheduled the hearing at the end of the 90 days. Chief Havas will continue to monitor the clean-up.

### ZONING OFFICERS REPORT

Mr. Pullen's written report records 2 permits were issued this month, in the amount of \$72,900.00. There is nothing new to report on the Snyder case. They are still residing in Cherry Tree. The Office of the Aging reported that no court date has been set to determine if they can return to their home. A complete Codes inspection of their home would be necessary before they can return. Two letters have been sent to residents who are in violation of the BOCA Code, Mr. Ken Bilger of 627 Diamond Blvd., for an uninspected, unlicensed vehicle on the property. Also, a final letter went out to Ronald Witkosky and his neighbor Rodney Waehner of Peden Lane. They have been previously notified about an unsecured fence around a pond on their property.

A letter has been prepared to send to Mr. George Haidar for a possible solution to the problem at 1027 Luzerne Street. Solicitor Lovette reviewed the letter and approved sending it to Mr. Haidar. Mr. Pullen reported on a resident's call about Bliss Alley. It is an unaccepted alley and the abutting property owner has paved the alley using it as a driveway. Since the alley is unaccepted, it becomes the abutting property owner's property. There is a right of way in that alley which must be maintained. Mr. Strittmatter asked Mr. Pullen to look at the property along Daisy St. where the trees have been removed, for run-off problems. Mr. Pullen will look at this situation.

### FIRE COMPANY REPORT

Chief Butler's written report records 17 responses for the month of February. There was an electrical fire in an outside light fixture at an apartment on Goucher Street. The loss was approximately \$100.00 Two of the self contained Breathing apparatus units were received. These units were ordered last year. Three emergency calls were received while the siren was on the timer and Chief Butler reported that there were no pager malfunctions. Southmont VFC responded to the search detail for an Upper Yoder Twp. resident who was reported missing in a wooded area. The thermal imaging cameras were used. A letter of thanks was received from Upper Yoder Twp. Police Chief Zakraysek.

Chief Butler reported that he has no way of knowing if pagers were at fault during the period in December and January when the Fire Company reported that four volunteers did not respond to seven calls, during the time the siren was on the timer. Pagers are sent for repairs or replaced when he is notified. Chief Butler reported that they are getting a good response considering the active members the Department has. They are going to work on a membership drive. The Chief suggested that Council review their Burning Permit policy and consider holding off the beginning of the burning season until March 1, rather than January 1, due to the past few years of drought and March winds. Council did ban any new burning permits for the next two weeks. A motion made by Mr. Danyluk to not issue burning permits until April 3, 2000, as requested. Seconded by Mr. Strittmatter. Motion carried.

Chief Butler, acting as Fire Marshall informed Council that there is a potentially hazardous condition at Lino's Restaurant. Several exit doors in the bar area have been blocked, chained or locked. The fire alarm system was turned off on a previous inspection. He plansto do an inspection. He will report to Council. Chief Butler attended a Hilltop Fire Department meeting with area Fire Departments and Municipal Officials in hopes of working together to support Senate/House Bills in reference to fire department pensions, fire department insurance and etc. Each municipality was asked to write or call local representatives in support. Council will discuss this issue at a Committee meeting, after receiving information from Chief Butler.

### ENGINEER'S REPORT

Mr. Duray reported on the blockage on the Luzerne Street sanitary line. He has received the signed permission of the property owners, Tammy and Scott Pyshnik at 1027 Luzerne Street to dig a test hole to find elevations. Council had previously given approval to proceed with this project. There is an easement on the property. The Corrective Action Plan for 1999 has been submitted to DEP along with our request for 14 EDU's (Equivalent dwelling units) for 2000. Mr. Duray reviewed with Council a request for an extension of time from Burgo Construction for the completion of their contract for the Wonder Street soccer/ballfield shed. The request is until March 31, 2000. A motion was made by Mr. Krupa and seconded by Mr. Strittmatter to approve the extension. All in favor, motion carried.

### COMMITTEES

#### STREET COMMISSIONERS REPORT

Mr. Bosley's written report records that streets were plowed and salted, as needed. Cleaned Borough Building as needed. Recycling trailer to Boswell. Finished picking up Christmas trees and branches from wind storms. Surveyed alleys to determine signs needed. Signs ordered, as per Council's request. Continued to turn leaves at Menoher Leaf Recycling Center. Began fabricating new housing for impeller on old leaf machine. Old housing suffered metal fatigue and needed constant repair in the past two years.

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Finished Ray Alley step railing. Performed necessary maintenance on vehicles and equipment. Street sweeping will begin March 27th and was advertised. Ordered steel plates to raise the basketball banking boards. The calcium chloride tank was emptied and re-filled with less corrosive magnesium chloride.

Mr. Rodgers asked if the sewer problem at 147 State Street was corrected. Mr. Bosley reported that Roto Rooter was called. Stephen Keifline was re-called to work. A motion was made by Mr. Danyluk to re-call Mr. Keifline as of March 20, 2000 at minimum wage, and seconded by Mr. Krupa. All in favor, motion carried. Mr. Bosley requested March 23, 24 and 27th off. Spring Clean-up will be May 17th and 18th.

Mr. Rodgers asked about a letter received from Mr. Doug Oakley in reference to water run-off on Menoher Blvd. near the Kessler Financial building. A letter has been drafted and will be sent this week. Alley repairs will be done sometime in May.

**STREET COMMITTEE**

Mr. Danyluk had no other report.

**ADMINISTRATION & PERSONNEL COMMITTEE**

Mr. Strittmatter submitted a current Job Description for Full Time Maintenance Employees. After review and corrections, a motion was made by Mr. Strittmatter to approve the Job Description. Seconded by Mr. Danyluk. Mr. Strittmatter further recommended that the Job Description will be part of the Personnel Policy and should be made available to those who need it.

After discussion, Mr. Rovasek recommended that Council accept Mr. Carbaugh's reasonable request for a 4 week leave of absence, until March 31, 2000. Mr. Strittmatter seconded. All in favor, motion carried. Mr. Carbaugh has been off sick since December 24, 1999 and is recovering from surgery. His AFSCME benefits have expired and the Borough continues to pay Hospitalization. Nothing new to report on the siren timer. It appears to be working well with the pagers in use.

**POLICE COMMISSION**

Mayor Koval reported that the meeting will be at Westmont on Tuesday, March 21, 2000. Nothing much on the agenda.

**RECYCLING COMMITTEE**

No report. Mr. Pullen reported that the Picking Treece Bennett Mortuary will be opening soon and the Recycling bins will be removed before that.

**INSURANCE COMMITTEE**

Mr. Kory reported new Liability policy will be in place April 1, 2000. Industrial Appraisal Company completed their annual update report and PIRMA (Insurance Carrier) has a copy of the additions.

### BUDGET COMMITTEE

Mr. Rodgers reported that a meeting was set for March 21, 2000, with Tom Zurilla, Judy Czyrnik and Mr. Rodgers. Mr. Zurilla wants to review some issues before sending the reply to the Auditor General Police Pension Audit Review.

### SHADE TREE

Mr. Krupa reviewed and discussed tree limb height. This will be further discussed at a Committee meeting. Mr. Krupa asked that Council members review the amendment and add or delete their thoughts for a final draft. A meeting will be advertised for April 4, 2000 at 7:00 p.m. to discuss Arbor Day and tree trimming for the Spring. Motion made to approve advertisement by Mr. Krupa, and seconded by Mr. Strittmatter. All in favor, motion carried. Mr. Krupa reminded Council that Arbor Day celebration will be May 6, 2000. On a question by Mayor Koval, the overhanging trees and limbs that were causing problems for the Fire Department were cut or trimmed, last fall by the Shade Tree Commission and Mr. Bosley.

### RECREATION/PLAYGROUND COMMITTEE

Mayor Koval had nothing new to report, (minutes on file). The Change Orders have been signed for the Soccer/Ballfield Renovation. Mr. Rodgers requested that the Recreation Commission consider putting a water fountain at the Soccer/Ballfield building. It was referred to Committee.

### BUILDING /GROUNDS COMMITTEE

No other report.

### C.O.G. COMMITTEE

Mr. Rovanseck reported that the State Animal Control officer Mark Miller attended the meeting. Mr. Miller explained the Pennsylvania Dog Law and Animal Control officers duties. Mr. Rovanseck reported the meeting was both informative and interesting.

### CHAPIN ARCH

Mr. Kory had no further report. Solicitor Lovette is in the process of finalizing the deed transfer from the Citizen Cemetery (Grandview Cemetery) to the Borough to the South Western Conservancy group.

### MAYOR'S REPORT

Mayor Koval reported that the Emergency Operation Plan is being updated and will be mailed to the County. Mayor Koval submitted a form letter to be sent to residents who need to be reminded that their grass, weeds and brush need to be trimmed. Also, a letter has been prepared to remind residents that their sidewalk or driveway needs to be kept in the proper state of repair. A motion by Mr. Danyluk was made to approve the new letters, with the recommended changes and seconded by Mr. Kory. All in favor, motion carried.

**SOLICITOR**

Solicitor Lovette reported that there is a mediation meeting set for April 6, 2000 ref.: Hartnett case. Solicitor Lovette will attend. Solicitor Lovette prepared the Holding Pond Ordinance/Resolution #2000-01 declaring that the pond is private and not a public area. A motion was made by Mr. Kory to adopt Resolution 2000-01. Seconded by Mr. Strittmatter. All in favor, motion carried.

On the Wren Street property, after discussion with Attorney Kiniry on variances, Solicitor Lovette explained the need to prepare an advertisement as either residential or commercial property and a proposed sales agreement. After discussion, a motion was made by Mr. Kory to have the Solicitor prepare an advertisement and proposed sales agreement, as outlined, and to advertise for bids to be received and opened on May 2, 2000 at 7:00 p.m. Seconded by Mr. Krupa. All in favor, motion carried. Council wanted to allow the property to be available to either residential or for commercial use. Final decision to be made at the May 15, 2000 meeting of Council.

**SECRETARY'S REPORT**

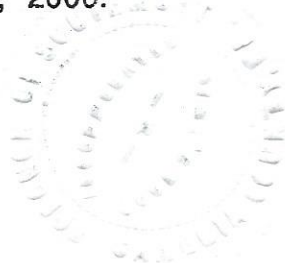
The Secretary's Report records that a request was made by the Garden Club to request the Borough's help in removing trees on the Barnett Street side of Menoher. The Garden Club has decided to go ahead with the project that was approved April 19, 1999. It was decided that Council needs more information on the removal of these trees. Mrs. Czyrnik will get more information for the Committee meeting. New programs were ordered for the computer and will be installed later. Some programs being replaced were from 1989. Council approved Mr. Krupa and Mrs. Czyrnik will be the voting delegate at the annual United Way meeting. A motion was made by Mr. Kory and seconded by Mr. Krupa to participate in the annual Stroke Screening program sponsored by Lee Hospital. All in favor, motion carried. This is usually scheduled for sometime in June.

**TREASURER'S REPORT**

A motion was made by Mr. Kory to accept the February Treasurer's report as presented in the amount of \$301,744.36 Seconded by Mr. Strittmatter. All in favor, motion carried.

**TAX COLLECTOR'S REPORT**

Mr. Rodgers noted for the minutes that we have received the February Tax Collector's report with RE collections at \$5,887.63 and PC collections at \$176.00. All in favor. Mr. Quinn asked about Per Capita for 2000 for the residents at the McCullough House and if they were to receive tax bills. Council referred the question to the Committee meeting on April 4, 2000.



**PAYMENT OF BILLS**

A motion was made by Mr. Strittmatter to approve payment of the bills in the amount of \$68,297.16. Seconded by Mr. Krupa. Roll call: Mr. Rodgers, Mr. Rovansek, Mr. Danyluk, Mr. Strittmatter, Mr. Krupa, and Mr. Kory. All in favor, motion carried. Mr. Pile, 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. Outstanding items were removed.

**NEW BUSINESS**

Mr. Bosley will work with Mr. Danyluk and review the specs. for the new truck. It will be reviewed at the Committee meeting. This is the year to replace the truck and it is a budget line item.

A motion by Mr. Kory was made to approve Mr. Krupa to attend to the Cambria County Borough's Association Spring Dinner on April 18, 2000 at the Imperial Room. Seconded by Mr. Krupa. All in favor, motion carried. At this time Council adjourned at 9:05 p.m.

Respectfully submitted.



Judith A. Czyrnik,  
Borough Secretary

