

BOROUGH OF SOUTHMONT
148 Wonder Street
Johnstown, PA 15905

Minutes for February 18, 2008

The pledge of allegiance was conducted and the scheduled February 18, 2008, Council meeting was called to order by President Rodgers at 7:00 p.m.

Present:

President Richard Rodgers, Borough Manager Loretta Spak, Solicitor Dan Lovette, Engineer Ryan Farabaugh, Council Member Mr. Ed Danyluk, Council Member Mr. Herb Ewald, Council Member Mr. William Kory, Council Member Mr. Kevin Pile, Council Member Mr. Thomas Strittmatter, Council Member Mr. William Krupa, Mayor Gerry Sloat, West Hills Police Chief Andy Havas, Fire Chief Mike Leckey, and Street Commissioner Jan Bosley.

Absent: Zoning Officer Jerry Hudson.

Visitors: Mr. Matthew McGlynn, 2175 Woodcest Drive, observing; Attorney John Lovette, 305 Leon Street, observing; Mr. Robert Walker, 312 State Street, trees.

Meeting Agenda:

President Rodgers asked for approval of the council meeting minutes of January 21, 2008. Mr. Pile made a motion to approve the council meeting minutes of January 21, 2008. Seconded by Mr. Kory, all in favor motion carried.

President Rodgers called upon visitor Mr. Robert Walker to address council. In Mr. Walker's opinion tree ordinance is not enforced evenly throughout the Borough. In the summer months there are numerous low hanging branches. On the corner of State Street and Diamond Boulevard there are piles of dirt and debris from trees that the Borough planted in October. All of Southmont is very proud of their trees but let's be consistent with the enforcing of the ordinance. Mr. Walker understands raising taxes was needed but let's not waste the money. Discussion followed, President Rodgers suggested Mr. Krupa and the Shade Tree Committee investigate and report back to council.

Police Chief's Report

West Hills Police report for December shows revenue in the amount \$49.21 (ordinance violations \$44.40 and vehicle violations \$4.81). Police Chief Andy Havas mentioned Humane Society letter dated January 23, 2008, they will not be renewing stray pick-up contract (will stop as of 1/1/09). President Rodgers turned over to Mayor Sloat and the police committee to review options with Westmont, Brownstown, and Lower Yoder; see how Johnstown City handles. Radar equipment trailer was received they plan to have ready for spring use. Discussion followed concerning a new laser speed device and an ordinance for police authority powers (Southmont, Westmont, and Brownstown has ordinance).

Zoning Officers Report

Mr. Hudson absent, as of now no activity, Mr. Hudson's report was reviewed.

Fire Company Report

Fire Chief's written report records six (6) responses during the month of January. There were four calls between the hours of 10 p.m. to 7 a.m. Southmont had four (4) assists one to West Hills, two to Upper Yoder, and one to Menoher Heights. Three members under the age of sixteen passed fire fighters class and will be attending training for National Certification. Having young members is fantastic for the fire company. A state grant of \$21,100 was approved but they were denied for a federal grant. Mr. Ewald made a motion to approve the

fire company to make needed changes to the alarm plan as they see fit. Seconded by Mr. Pile, all in favor motion carried. This motion will be placed on reorganization agenda. Fire Chief Leckey is working on man hours and supplies (Menohar Blvd) for agility agreement. The Hilltop Ambulance Association report was received and is on file.

Engineer's Report

The written Engineer's report for February was received and reviewed. Mr. Duray couldn't attend; Mr. Farabaugh attended to address any questions or concerns. Mr. Duray and Mr. Danyluk are scheduled to get together this week to review the step (Ray Alley) specs and will be advertised with the paving specs on February 29th for bid opening at March 17th meeting.

COMMITTEE REPORTS

- A. Street Commissioners Report:** The written Street Commissioner's report for January was received and reviewed. Mr. Rodgers asked Mr. Bosley for an update on Mrs. Truscello, 800 Goucher Street, sewer line issue. Mr. Bosley stated they understand it is the home owners' responsibility and they are in process of getting repaired. Mr. & Mrs. Anderson, 7 Cox Street, e-mail of February 14th snow plow complaint was discussed. Ms. Spak will turn alleged claim over to our insurance company to investigate.
- B. Streets:** Mr. Ewald had nothing new to report.
- C. Personnel:** The personnel committee (Mr. Danyluk, Mr. Rodgers, and Ms. Spak) met and interviewed candidates for part time office clerk position. All agreed to offer position to Amanda Claycomb. Mr. Danyluk made a motion to hire Ms. Claycomb for part time office clerk at \$7.25 per hour to start as soon as possible. Seconded by Mr. Kory, all in favor motion carried.
- D. Police Committee:** Mayor Sloat had nothing new to report.
- E. Recycling Committee:** Mr. Pile had nothing new to report.
- F. Insurance Committee:** Ms. Spak went out for quotes, when bids come in insurance committee will review; will take action in March.
- G. Budget Committee:** Mr. Pile discussed quick book budget reports some line items will need to be adjusted for better comparisons. This is a work in progress for the next few months. If anyone would like to see something in particular let Ms. Spak or Mr. Pile know.
- H. Shade Tree Report:** Working on letter to the "private lane" side of Southmont Boulevard residents concerning leaning/falling trees. Solicitor Lovette will review prior to letter going out. Mayor Sloat mentioned phone conversation with Mr. Hartnett, 3 Wren Street. Mr. Krupa stated Mr. Hartnett's tree issue will be addressed in spring. Mr. Krupa mentioned a resident called him concerning rats in sewer, discussion followed. Mr. Ewald, Ms. Spak, and Mr. Bosley will look into baiting sewers (catch basins and manholes).
- I. Recreation Committee:** The January minutes are received and on file.
- J. Building and Grounds Report:** Ms. Spak found previous grant for restroom/storage area at soccer field will be following up.
- K. COG Report:** Mr. Krupa attended the February 5th meeting. He found it interesting, the budget for COG and the budget for code portion of COG was discussed. There are thirty-seven (37) municipalities that are part of COG and seventeen (17) municipalities are part of the building code portion. The cable franchise committee has been on hold but will be starting back up. Ms. Spak will follow up with Mr. Morgan on his participation on cable franchise committee.
- L. Grandview Committee:** Mr. Kory has nothing to report.
- M. Greater Johnstown Water Authority:** Mr. Pile mentioned he got the ball-field water bill for December waived. Mr. Pile stated DEP is enforcing old policies (very strict) the water authority is searching records for the Dalton Run Dam building permit (built in 1910) if not found they will need to apply to the state for a new one, which will be under different guidelines. Mr. Strittmatter suggests some of the water authority members meet

with DEP personally and discuss the issues. Not a lot going on at this time i.e. engineer fees will increase, insurance contract renewed, and between 200 to 300 acres of trees will be cut down.

Mayor's Report

Mayor Sloat will contact Mr. Hartnett and let him know his tree is scheduled for spring. Mayor Sloat contacted Mr. Krstulich, 143 Helen Street (National Office Equipment), and informed him of a place that will pickup and recycle computers (phone message of 2/6/08).

Solicitor's Report

Solicitor Lovette updated council on tax exemption appeal. The county and the school district may settle and Solicitor Lovette is looking for a general feeling of council. Eighty-five percent (85%) of taxes that were assessed for the next ten (10) years unless a material case comes out and changes exempt status, after 10 years issue will be revisited. An agreement will be drafted for the three entities to review. Solicitor Lovette recommends signing of Central Tax Bureau (Centax) contract, discussion followed. Centax contract is combined with prior contract and has a two year renewal (2009). Mr. Pile made a motion to accept Centax contract. Seconded by Mr. Krupa, all in favor motion carried. Solicitor Lovette's opinion on council members serving on municipal authorities or joint municipal authorities was discussed. Borough Code 1104 states a councilman can serve on but cannot take payment. Mr. Danyluk made a motion to forward Solicitor Lovette's written opinion to Greater Johnstown Water Authority Solicitor Barbin. Seconded by Mr. Kory, all in favor motion carried. A draft ordinance for adopting a sewer use ordinance requiring dye testing of all real property with structures was discussed; will be placed on committee meeting agenda. Mr. Pile updated council on school/PAMS releasing of state list to Centax, they can send out. Solicitor Lovette will speak with school district to follow up approval for state list. President Rodgers requested state list for Centax be added to "Tickler List".

Manager's Report

Ms. Spak's written report was submitted and reviewed. Mr. Strittmatter made a motion to accept handicap parking renewal for Ms. Kristi Niekump, 21 Shady Lane. Seconded by Mr. Krupa, all in favor motion carried. Mr. Strittmatter made a motion to approve CD with Portage National Bank at 3.80% for six months. Seconded by Mr. Pile; roll call: Mr. Danyluk, Mr. Ewald, Mr. Kory, Mr. Pile, Mr. Strittmatter, Mr. Krupa, and Mr. Rodgers all in favor, opposed none. Mr. Strittmatter made a motion to approved resolution 2008-01 shredding of old records. Seconded by Mr. Krupa, all in favor motion carried. Mr. Strittmatter made a motion to approve transferring of thirty thousand dollars (\$30,000) from PLGIT general fund to Portage National Bank money market. Seconded by Mr. Krupa; roll call: Mr. Danyluk, Mr. Ewald, Mr. Kory, Mr. Pile, Mr. Strittmatter, Mr. Krupa, and Mr. Rodgers all in favor, opposed none. Mr. Krupa moved to approve the manager's report. Seconded by Mr. Strittmatter, all in favor motion carried.

Treasurer's Report

Mr. Kory made a motion to approve January's Balance Sheet in the amount of \$434,921.27. Seconded by Mr. Kory, all in favor motion carried.

Tax Collectors Report

No report, real estate taxes go out in March.

Payment of Bills

Mr. Pile made a motion to approve payment of bills in the amount of \$56,627.13. Seconded by Mr. Strittmatter; roll call: Mr. Danyluk, Mr. Ewald, Mr. Kory, Mr. Pile, Mr. Strittmatter, Mr. Krupa, and Mr. Rodgers all in favor, opposed none.

Old Business

President Rodgers scheduled committee meeting for March 4th at 4:00 p.m. and reviewed "Tickler List".

New Business

Mr. Danyluk made a motion to approve any councilman to attend the PSAB wake up to the issues breakfast meeting scheduled for March 7th at 7:30 a.m. at Perkins Restaurant (\$10/person). Seconded by Mr. Kory, all in favor motion carried. Mr. Kory made a motion to approve Ms. Spak or any councilman to attend the Southern Alleghenies Planning & Development Commission's free workshop for internet grant research & writing on March 18th and 19th. Seconded by Mr. Krupa, all in favor motion carried.

At 8:40 p.m. President Rodgers called for an Executive Session to discuss personnel issues. At 8:47 p.m. Council reconvened. Mr. Danyluk made a motion to hire consultant Richard Wargo for two thousand three hundred dollars (\$2,300) review to be completed by March 12th. Seconded by Mr. Kory, vote was six to one motion carried.

There being no further business, a motion was made by Mr. Pile for adjournment of the February 18, 2008 meeting at 8:50 P.M. Seconded by Mr. Krupa, all in favor motion carried.

Respectfully submitted,
Loretta Spak, Borough Manager
3/18/2008 4:20 PM