

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

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

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

ABSENT: None

VISITORS: None

President Pile asked for approval of the September 20, 1999 minutes and the October 5, 1999 Committee meeting. A motion was made by Mr. Leventry to accept the minutes as written. Seconded by Mr. Kory. All in favor, motion carried.

At this time, President Pile asked for a motion to open the Bids for the Storage Shed. Motion made by Mr. Rodgers and seconded by Mr. Leventry. All in favor, motion carried.

The storage shed building (30' x 40' x 12'0) was advertised and only one bid was received, as follows;

Trevdeck Construction Inc.	
155 Gilbert Hollow Rd.	
Hollsopple, PA 15935	\$14,556.60

After discussion, Mr. Rodgers made a motion to accept the bid pending review and approval of Solicitor Lovette and Street Commissioner Bosley. Mr. Leventry seconded the motion. All in favor, motion carried.

POLICE CHIEFS REPORT

Chief Havas's written report records the revenues for the month at \$571.42. Officers Mulkey and Kessler fingerprinted approximately 38 preschool children at the Christ Lutheran Church Day Care Center on Elknud Lane. A small presentation on the duties of a police officer was given to the preschoolers.

Chief Havas was asked to look at a possible problem at the corner of Leon and Violet Street. A letter was received from Michael Bidelman who stated that the school buses run over the corner of his property. Chief Havas did state that previously a car was parked near the intersection. He asked if the Mayor would look at the intersection. He would recommend that possibly a No Parking Here to Corner sign could be moved back two parking spaces on Violet Street. Mayor Koval will look at the intersection. A motion by Mr. Rodgers to have Mayor Koval look at the situation and make recommendations. Mr. Kory seconded the motion. All in favor, motion carried.

At another problem area along Harshberger Street, Chief Havas and Mayor Koval looked at the decorative stones placed along the street by a property owner. The stones are in the PennDot right of way. Chief Havas called PennDot to check on their regulations and is waiting for their answer. If PennDot cannot do anything about the stones he will give the resident a warning, as the stones can become a hazardous situation in the winter or when someone is walking along the roadway.

Chief Havas reminded Council that Trick or Treat night is October 28, 1999 from 5:30 to 7:30 p.m. Chief Havas asked Council to tell parents to go with their children because of the kidnapping scare in our area. It was the consensus of Council that the Recreation Commission should advertise the Trick or Treat Notice asking that parents accompany their children.

Chief Havas told Council that the George Haidar hearing is set for October 25, 1999 at 2:30 p.m. in Magistrate DeCort's office in Portage.

ZONING OFFICER'S REPORT

Mr. Pullen's written report records ten (10) permits have been issued during the month with construction costs of \$69,300.00. The estimated year to date construction cost is \$494,858.00.

Mr. Pullen reported that he is talking with both sides on the Condominium problem on Cheney Oak Drive. The former owners, M & T Associates had formed a Condominium Association and had rolled it over to the new owners of the Condominiums. In the transfer and resale of the property proper set backs were not provided. Property lines and set-backs are still in question. Hopefully, it will be resolved before year end. Mr. Pullen will stay abreast of the situation. Mr. Pullen also asked about sidewalks in the PineBrooke Development area. Council will research and report back to Mr. Pullen.

Dr. Richard Kastelic has removed his tree house from the Bird Sanctuary. There still is a concrete pad on the ground. The Buildings and Ground Committee will look at the pad and make a recommendation to Council, if it should be removed or retained.

FIRE COMPANY REPORT

Chief Butler's written report records 13 responses for the month of September. Chief Butler informed Council that the Department is looking into prices and purchasing a Thermo imaging camera, which allows you to see thru smoke. The cost is approximately \$13,000.00. Chief Butler stated that he had talked with other departments and they have no immediate plans to purchase one of these cameras. Mr. Strittmatter suggested that Southmont VFD speak with other departments before purchasing a camera. Possibly it could be a joint purchase.

Mr. Strittmatter feels that most calls are outside our area and possibly a coordinated effort between other departments could be arranged for the purchase of this camera. Mr. Strittmatter reported that Tercek Electric submitted a quote of \$160.00 to install a new timer for the main siren at the Fire Hall and the Shady Lane siren, so that they could be set to sound only during the daylight hours and pagers would be used during the off hours. Mr. Strittmatter made a motion to approve the purchase of the timer unit for \$160.00, to continue use of the pagers at all times, to determine the hours which the sirens will sound or not, and to investigate purchase of a different type of siren. Seconded by Mr. Rodgers. All in favor, motion carried.

Chief Butler invited all Council members and guest to attend the annual Fire Co. banquet, on November 20, 1999. He asked that all members call him before November 8, with their choice of dinners.

Chief Butler also reported that the Hilltop Ambulance Association did not have a quorum, so there was no September meeting. Our representative Chet Borousky was in attendance.

ENGINEER'S REPORT

Mr. Dave Duray of Hinks & Locher Engineers reported that the physical items described in the September 20, 1999 minutes, at the PineBrooke Development project have been done and the requested paperwork is done, however there is an outstanding fine from the NPEDES. Mr. Duray has placed a call to the Department of Environmental Protection in Pittsburgh. They have not returned the call to date. Solicitor Lovette stated that Council could approve the project contingent on the Maintenance Bond for 24 months at 20% and contingent on the satisfaction of the NPEDES fines. Council discussed the request for payment to Musser Engineering for the completed work. Mr. Duray has approved the request. Solicitor Lovette has also reviewed the payment request and approved it. After discussion, a motion was made by Mr. Rodgers authorizing the Engineers to prepare the construction figures for the items that the Borough will accept in the PineBrooke area, and for a 24 month, 20% maintenance bond. Seconded by Mr. Strittmatter. All in favor, motion carried.

After further discussion, it was Council's decision to table any motion on accepting the project until the bond is figured and the fines have been resolved by the Department of Environmental Protection. If these items can be resolved by the next meeting of Council, it will be accepted. Solicitor Lovette recommended that we do not maintain or plow the area of Cheney Oak Drive in the PineBrooke Development until these items are resolved. A letter will be written to McCullough House informing them that we will not plow until we fully accept the project.

Mr. Duray finally received word from the Department of Conservation and Natural Resources that they will accept the Burgo Construction revised bid for the soccer/ballfield restroom facility. Notice of Award contracts and change orders have been forwarded to Burgo Construction. Mr. Duray is awaiting a construction schedule.

COMMITTEE REPORTS

STREET COMMISSIONER

Mr. Bosley's written report records continued work in remodeling garage, lunch room and offices in the garage area. Completed the Gardner St. storm sewer project and blacktopped the ditch area. Poured a new driveway end and repaired the curb. Lawn was seeded. Resident was satisfied. Repaired area around new catch basin on Diamond Blvd. and blacktopped the repaired area. Broke up the sidewalk along Thoburn Street at the Fire Company's parking area. Water from parking area ran off sidewalk into grass area and was always wet. The new sidewalk will force water into alley and then onto Thoburn St. Loaded leaves for Lichtenfels Nursery trucks to clean up the area at the Leaf Recycling area, along Menoher Highway. Routine maintenance, cut grass, cleaned inlets, picked up branches and took recycling trailer to Boswell. Will begin installing drain fitting for the storm sewer from the Keklak/Truhan properties into the Thoburn Street storm sewer.

After discussion, a motion was made by Mr. Rodgers to approve any overtime for leaf collections, at the discretion of the Street Commissioner. Seconded by Mr. Leventry. All in favor, motion carried.

STREET COMMITTEE

Mr. Leventry reported on final sidewalk inspections for this year. There are still some residents who have not completed their sidewalk repairs. Mr. Leventry feels the weather is not conducive for concrete work any more this year. Council's consensus is that a sidewalk follow-up be done in the Spring. Residents were notified that if they did not make repairs within 60 days of our July 1999 letter, the Borough would contract the work to be done and invoice the resident. This will be done in the Spring. Mr. Leventry noted that additional crack sealing will not be done this year.

President Pile is concerned about an area on Menoher, near Kesslak Insurance and the new bus pull-off where water runs across the highway and could freeze in the Winter. A letter will be written to PennDot advising them of the hazard.

ADMINISTRATION & PERSONNEL COMMITTEE

Mr. Strittmatter asked if they could set the Union negotiation meeting back until more Hospitalization quotes are received. Mr. Strittmatter will be in touch with AFSCME representative, Tim Miller.

POLICE COMMISSION

Commission meeting will be at Brownstown Borough on Tuesday, October 19, 1999 at 7:00 p.m.

Council had received a draft copy of the West Hills Regional Police Commission meeting on September 21, 1999 for their review. Any changes to the Contract must be executed by all parties and all three municipalities must sign any amendment or modification for the change to become legally effective. Formula's were discussed in great length. Council discussed the formulas and the four (4) plans as outlined in the minutes. It is Council's consensus that they are satisfied with the Police service, happy with the contract and content with the cost allocation. Council also encourages Chief Havas to continue to try to recruit new members to the West Hills Regional Police Commission. At that time new formulas could be used.

Mr. Strittmatter made a motion that the Police Commission should use a formula, such as those presented in the West Hills Regional Commission minutes of September 21, 1999, and with the approval of the three current members. Formulas should not be detrimental to the current West Hills Regional Police Commission members. Motion was seconded by Mr. Rovansek. All in favor, opposed none. Motion carried.

Mr. Rovansek made a motion stating that Southmont is satisfied with the Police service, satisfied with the contract and satisfied with the cost allocation. Motion seconded by Mr. Strittmatter. All in favor, opposed none, motion carried.

President Pile received a letter from the City of Johnstown Police Chief, Robert Huntley. They are offering Police Service to Southmont Borough. President Pile will respond to the letter.

RECYCLING COMMITTEE

Mr. Rovansek reported that from the chart submitted the Borough is spending approximately \$100.00 per month to recycle.

INSURANCE COMMITTEE

Mr. Kory reported that the Treasurers Bond will need to be renewed by year end. We have requested FWF Insurance renew this bond. Also, we are still receiving Hospitalization plans and quotes. All quotes will be turned over to the Administrative and Personnel Committee this week.

BUDGET COMMITTEE/CABLE TV

Mr. Rodgers had nothing on the Budget report except that things are in good order. Budget meeting on Tuesday, October 26, 1999. Mr. Rodgers has received several year 2000 budget requests. Mr. Rodgers received a letter from Karen Broach of CableTV in reference to an error made in franchise collections from our residents., It seems that they have been collecting 5% instead of the 3% agreed in our previous contract. Residents will be receiving credit.

SHADE TREE

Mr. Krupa reported that a resident was topping trees on Palliser Street. Mr. Krupa supplied the resident with previous notices against the tree topping within the Borough. Mr. Krupa is getting bids for some additional tree trimming before the year end. Mr. Rovansek suggested that we look our ordinances to determine if a stipulated clearance height for overhanging branches is specified to protect pedestrians. Mr. Krupa suggested that we close the Grant Account for the Shade Tree Commission.

RECREATION/PLAYGROUND COMMITTEE

Mayor Koval reported that bids were opened for the Ridge Grant project. Burgo Construction was the low bidder in the amount of \$35,500.00. All bids met the requirements. The Executive Director was given a 4% salary increase and a new contract. October 28, 1999 has been set for the Trick-or-Treat night from 5:30 p.m. to 7:30 p.m. A motion was made by Mr. Rodgers to approve the date, with an added request that parents accompany their children. Seconded by Mr. Strittmatter. All in favor, motion carried. Council suggested that the Recreation Commission advertise this message.

BUILDING /GROUNDS COMMITTEE

Mr. Kory's Committee will look at the concrete pads in the Bird Sanctuary and report at the next meeting.

C.O.G. COMMITTEE

Mr. Rovansek reported recording records on film. Mr. Rovansek will gather more information.

CHAPIN ARCH

Mr. Kory spoke with the PennDot crew at Chapin Arch. They feel construction should be completed by mid November. Mr. Kory also spoke with the Southwestern Conservancy to update them. Mr. Otto of Grandview Cemetery asked that two light poles be removed, since they will be cutting the lawns at the Arch. It was agreed that the poles would be removed

MAYOR'S REPORT

Mayor Koval had no other report.

SOLICITOR

Solicitor Lovette suggested that we write a letter to McCullough House in reference to the letter dated October 15, 1999, from Jean Safko, Program Director. The letter is in regards to residents of the Assisted Living facility being taxed for earned income and school per capita tax. The Secretary will check with the School District.

Solicitor Lovette received a call about a property abutting Potato (Plum Alley) Alley. A tree fell from the right of way (Potato Al.) which was never accepted by the Borough. The tree fell into a property that is abutting this undedicated alley. According to PA Law if the alley was never accepted by the Borough it becomes the abutting property owners responsibility.

SECRETARY'S REPORT

Mrs. Czyrnik's report records that quotes for the telephone system are still being received. They should be done by the end of this week. A motion was made by Mr. Kory to give permission for the Census 2000 enumerators to use the Tax Collector's office during the census reporting time. Seconded by Mr. Rodgers All in favor, motion carried.

A new Dog Enforcement Ordinance should be received by the next meeting of Council. All the questions submitted were addressed. Requested permission to use the brush chipper the week of October 25, 1999 for the Fall Brush Clean-up. It was advertised.

Mr. Lengel's letter of resignation was discussed. A motion was made by Mr. Strittmatter to accept the resignation for the position of Tax Assessor, for the term to expire January , 2000. Seconded by Mr. Krupa. All in favor, motion carried. Council will send a letter accepting the resignation and thanking Mr. Lengel for his 20 or so years of service to the Borough. The position of Tax Assessor can be a write in vote on the November election. We do have 30 days to name a tax assessor if no one is elected.

A motion was made by Mr. Rodgers to accept the allocations of the 1999 excess interest for the PA. Municipal Retirement Board as submitted. Seconded by Mr. Kory. All in favor, motion carried.

TREASURER'S REPORT

Mr. Rodgers moved to approve the Treasurer's report for the month of September as submitted in the amount of \$422,452.80 in the General Fund balance. Seconded by Mr. Krupa. All in favor, motion carried.

TAX COLLECTOR

Mr. Rodgers made a motion to record that we received the September Tax Collector's report, in the amount of Real Estate, \$219.73 and Per Capita, \$110.00. Seconded by Mr. Leventry. All in favor, motion carried.

APPROVAL TO PAY THE BILLS

After review, a motion was made by Mr. Leventry to approve the Payment of the Bills in the amount of \$41,303.19. Seconded by Mr. Krupa. Roll Call: Mr. Rodgers, Mr. Rovansek, Mr. Strittmatter, Mr. Krupa, Mr. Kory, Mr. Leventry and Mr. Pile. All in favor, opposed none. Motion carried.



OLD BUSINESS

President Pile asked for review of items on the "Tickler List" . Items were reviewed, removed or re-listed. Most items are currently in progress. Mr. Leventry discussed the sidewalk final inspections. Mr. Leventry stated that 65% are complete and as our letter stated if the work was not completed in the 60 day period, the Borough would contract to complete the repairs. Because of the cold weather it was Council's consensus that this work will be done in the Spring. It will be noted in the Newsletter that these repairs will be done, at the property owners expense.

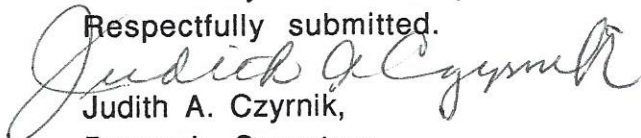
NEW BUSINESS

A Budget Committee meeting will be held on October 26, 1999 at 7:00 p.m., to prepare the year 2000 Budget. All Council members are asked to attend. A meeting with Upper Yoder Township has been set for November 9, 1999 at 7:00 p.m. To date we have not received a confirmation from the Upper Yoder Sewer Authority.

Reservations have been made for Kevin Pile, Wm. Kory and Spouses for the Fall Conference of the PSAB, November 12 thru the 14th in Reading, PA. At Council's request, Mrs. Czyrnik will call PennDot again in reference to the signs along Menoher Blvd. right of way. Sign owners were to receive a letter, giving them a period of time to remove the signs or PennDot would remove them, at the sign owners expense.

Council adjourned 9:20 p.m.

Respectfully submitted.



Judith A. Czyrnik,
Borough Secretary

