

MINUTES
BOROUGH OF SOUTHMONT
August 18, 1997 7:00 p.m.

The regularly scheduled August Council meeting was called to order by President Pile at 7:00 p.m.. After the pledge to the flag, the August 18, 1997 meeting of Council convened.

PRESENT: President Pile, Mr. Rodgers, Mr. Leventry, Mr. Krupa, Mr. Kory, Mr. Davis, Mr. Danyluk, Solicitor: Daniel R. Lovette, Mayor Robert Morgan, Engineer: Ron Walker, Zoning Officer-Fred Pullen, Street Commissioner: Jan Bosley, West Hills Police: Andy Havas, Fire Department: Michael Butler, and Secretary: Judith Czynnik
ABSENT: None

VISITORS: Pete Chiodo 943-B Menoher Blvd. Pat Ditko 134 Avis St.
Kirby Gardner 943-B Menoher Blvd. Eric Pascuccel/Whipple Allen RE
Tim Walsh 209 Leon Street Dennis Brawley 100 King Street

At this time President Pile asked for approval of the July 21, 1997 regular Council meeting minutes. A motion was made by Mr. Danyluk to approve the minutes as amended. Seconded by Mr. Kory. All in favor. Motion carried.

VISITOR'S

President Pile called on Mr. Tim Walsh who is asking to vacate a portion of Long Alley, now Leek Alley, between Lark Alley and Leon Street. The Public Meeting to vacate the alley was advertised. Mr. Walsh has submitted a drawing of the location he wishes to vacate. He is the owner of the property abutting both sides of the area he is requesting. This is an undeveloped tract of land. After review and discussion a motion was made by Mr. Danyluk to approve the vacation of this section of Leek Alley, with Mr. Walsh paying the survey costs and Solicitor fees for preparing the deed. Seconded by Mr. Kory. All in favor, motion carried. The costs are estimated to be between \$500.00 and \$600.00.

Mr. Pete Chiodo reviewed with Council two items that were needed for the approval of the subdivision of PineBrooke. Mr. Chiodo submitted to Council and the Engineers a copy of a letter from the Greater Johnstown Water Authority. While it is not possible to supply the 4200 gpm, as suggested by the Southmont VFC, it is possible to supply 2000 gpm with the construction of a loop feed line. A single hydrant or hydrants could be connected to this line. The plan meets the GJWA requirements to provide adequate fire flow. A copy of the Cambria County Conservation District review of the discharge of storm water erosion and sedimentation control plan had been found to be adequate.

Fire Chief Butler understood the Authority's response on the amount of gallons per minute. Mr. Pullen responded with a copy of the National Fire Protection standards stating that this facility would be considered light hazard usage. Mr. Pullen read that 500 to 700 gpm were acceptable. Flow at four other units in the State are producing 750 to 1900 gpm for the fire protection in these buildings. Chief Butler stated that these are stats for the sprinkler system. If the proposed adapter for the Fire Department is installed and the sprinkler is adequate Chief Butler will be satisfied. Mr. Chiodo feels there is plenty of pressure.

Mr. Davis questioned the Cambria County Conservation Districts technical evaluation. Mr. Chiodo responded and after discussion, Mr. Davis was satisfied with the explanation.

Mr. Dave Duray of Hinks & Locker Engineers reviewed with Council some of the items gone over with his office and Mr. Chiodo. Several meetings were held with the last one today at 9:00 a.m. Items of concerns: roadways, drainage and storm water management. Mr. Duray had concerns with the size of the holding pond. After the meeting this morning, Mr. Chiodo did redraft, calculate and re-submit new plans for the holding pond to the Engineers this afternoon. Mr. Duray did review that submission and has found that it appears to be adequate. The question of the Borough taking over the maintenance of this pond was discussed. Mr. Davis, while preferring that the pond not be Borough's responsibility, realizes that the Borough will take it over, as is done in neighboring communities. It should require minimal maintenance. Mr. Duray feels the general concept of the subdivision appears to be adequate. Mr. Duray feels Council could give approval of the subdivision contingent on the Engineers final approval of some minor requirements such as the access road. Two items have been submitted tonight. (Conservation Districts and Greater Johnstown Water Authority's letter.) Mr. Duray still will review the roads, water, storm lines, sanitary and storm water management. Mr. Rodgers asked each Councilman how they felt on the subdivision. Mr. Eric Pascuccel of Whipple Allen RE of Erie described the Assisted Living Facility as a step down from a personnel care home. It is for elderly who are still ambulatory and do not require medical treatment. There will, however, be a nurse on duty for emergency purposes.

The owners are Assisted Living Concepts from Oregon; Life Service Development Co. of Erie, PA will manage the facility. There are nine other units in PA. Mr. Davis asked if all financial requirements are in order and will be updated. Solicitor Lovette asked to have the escrow agreement, from the bank available for our review, before the Building permit is issued for the Assisted Living facility. This will be in place of bonding. Mr. Chiodo has agreed to 110% of financial backing. After his bids are reviewed he will update the figures, if necessary.

After the Zoning Hearing Board meets, Solicitor Lovette suggested that the Building Permit for the Assisted Living Facility not be issued until he has had a chance to review the escrow account agreement and maintenance of the pond is discussed.

Mr. Pullen informed Council that the 4th Zoning Hearing Board meeting will be held on August 19, 1997. The Zoning Hearing Board is only involved in the permitted use of the land, they are actually not involved in the sub-division. After further discussion and further questions a motion was made by Mr. Danyluk to approve the sub-division contingent on the Engineers satisfaction of some minor issues and with proper bonding or escrow agreements, to be reviewed by Solicitor Lovette. Seconded by Mr. Davis. Roll call: Mr. Rodgers, Mr. Danyluk, Mr. Davis, Mr. Krupa, Mr. Kory, Mr. Leventry and Mr. Pile, all in favor, motion carried. The Engineers must come back and tell Council that they are satisfied. Nothing can begin until the issues are satisfied by Hinks & Locher. Bids will be submitted to Solicitor Lovette for review.

ENGINEER'S REPORT

Mr. Ron Walker has completed the inspection of the 1997 Street Paving program with the Street Committee. He has reviewed the invoice and finds the figures to be in order. Some sealing needs to be complete. The final bill is approximately \$785.00 under contract. Legal descriptions for the easement for the right of way through the property of Cindy Cruse at 147 State Street have been submitted to Solicitor Lovette.

The final report to determine the ownership of the Southmont Blvd. retaining wall has not been completed. Mr. Walker expects this to be complete by the September meeting. The Street Committee will meet to discuss the DEP letter of August 7, 1997 in reference to the wet water overflows.

Mr. Rodgers wanted to thank Dave Duray, Ron Walker and all the Council members who were involved with the review of the Sub-division of the PineBrooke Development.

POLICE CHIEF'S REPORT

Chief Havas's written report records the Police report for July 1997. No revenues were reported this month. They will be reported in August report. Chief Havas reported that 11 juveniles were involved in the May/June occurrence of vandalism in Southmont. It was reported approximately 89 incidents of vehicle vandalism where reports of CD's, briefcases, personal items, and hood ornaments in the amount of \$3,500. to \$4,000. The West Hills Regional Police have made application for a \$5,000.00 computer grant, to update printers and software. Mr. Danyluk asked Chief Havas to check on the property at the corner of Harshberger and Daisy St. as previously reported having shrubs obstructing the motorists view at this intersection. Chief Havas will do so. According to PennDot map the shrubs are in the right of way. On the question of increasing the speed on Southmont Blvd., Mr. Kory checked with residents along the Blvd. and they are totally opposed to any increase in the speed. Arrests can be made if the motorist is going 10 mph over the speed. After discussion Chief Havas recommended that a 30 mph speed could be put on the Blvd. Council will discuss further at a Committee Meeting.

ZONING OFFICERS REPORT

Mr. Pullen's written report records 11 new permits have been issued for this month with a construction cost of \$163,750.00. This brings the year to date construction cost to \$499,661.00. Mr. Pullen noted several complaint records have been received from WHRP. Mr. Glass met with Mr. Haidar, his Attorney and Attorney Kiniry on the one building permit for 1070 Luzerne Street. This was for windows, sidings and changes to the porch. It has been resolved. Mr. Pullen reported that the Klanchar property has finally been completed. Mr. Pullen reported there will be another meeting of the Zoning Hearing Board on August 19, 1997 at 7:00 p.m.

FIRE COMPANY REPORT

The written report submitted by the Fire Company records total responses at 25 for the month. During the annual hose testing a hole in the top cover of the 500 gallon water tank was found. It has been temporarily fixed. Chief Butler reported that the Southmont VFC has been chosen as one of the 20 departments in the County for testing of a new recording system, for alarm fires. The system will record the type of fire, personnel involved and amount of time spent at fires. President Pile thanked the Fire Department for their input on the sub-division and building proposed in the PineBrooke area.

COMMITTEE REPORTS

STREET COMMISSIONER

Mr. Bosley's written report records the Department finished the spring box into the new pipe tied into storm sewer. A catch basin was lowered on Diamond Blvd. at Luzerne Street to take in the water. A new curb was poured. Replaced a hooded catch basin on Mabel Street with non-hooded and poured a new curb. The wall of the basin had to be re-bricked. Continued replacement of street signs. Cleaned building regularly. Cut grass. Worked with Robinson Pipe Cleaning on the Upper Cheney Run cleaning mud and debris from the channel. Trimmed various branches away from signs and intersections. Replaced numerous wooden fence posts at Helen/Gardner Street park. Had roots and two sections of sanitary sewer cleaned with a demonstration of a camera by A & H Equipment, in Tomato Alley and State Street. Repainted double yellow lines on some sharp curves. Re-smoked a sanitary sewer line at 329 Southmont Blvd. to check for infiltration before house is sold. It checked O.K. Storm pipe repairs at Griffith and Frambach property and the new pipe at the spring box appears to be working properly. The new leaf machine was received, however, the color is incorrect. A & H is to have the machine re-painted before we make payment. The block storage shed at the ball field has been removed, and water and sewage has been installed for the construction of a new shed. Construction should start by mid Sept. Mr. Bosley stated that we will probably have fall branch and shrub chipping in September.

STREET COMMITTEE

The Committee reported that the hedge at Merlo's property has been trimmed back. Mr. Danyluk felt it was reasonable for this year. Mr. Danyluk reported on several residents who have still not complied with the addressing ordinance. He will call the residents first, before any further action is taken.

ADMINISTRATION & PERSONNEL COMMITTEE

Mr. Davis reported on Ordinance No. 407 that has been advertised for the termination of the Police Pension Fund. A motion by Mr. Davis to approve the Ordinance was made and seconded by Mr. Danyluk. Roll Call: Mr. Rodgers, Mr. Danyluk, Mr. Davis, Mr. Krupa, Mr. Kory, Mr. Leventry and Mr. Pile, all in favor, motion carried. Mr. Davis continued that when the termination of these funds have been completed we need an account to place the funds from Principal, PLIGIT and Minnesota Life. Mr. Rodgers made a motion to approve Resolution 9703, authorizing the Plan Administrator, Judith A. Czyrnik, to administer the termination and distribution of the funds. Seconded by Mr. Danyluk. All in favor, motion carried.

Mr. Davis asked to have a Committee meeting on August 26, 1997 at 7:00 p.m. to discuss the request for proposals for the Borough Audit, Traffic Ordinance and discuss the elected Auditors.

POLICE COMMISSION

President Pile reported that there will be a Police Commission meeting on August 19, 1997 at Southmont. Upper Yoder Township is interested in continuing talks about merging Police Departments. President Pile asked for Councilmatic input in any negotiations, if this should occur.

RECYCLING COMMITTEE

No report.

INSURANCE COMMITTEE

Mr. Rodgers approved the set fee increases for the Blue Cross Hospitalization rates for the new contract. Seconded by Mr. Kory. Roll Call: Mr. Rodgers, Mr. Danyluk, Mr. Davis, Mr. Krupa, Mr. Kory, Mr. Leventry and Mr. Pile, all in favor, motion carried.

BUDGET COMMITTEE

Mr. Rodgers reported that there was \$13,000 in the budget for the Cable franchise fees. To date we have received \$8060.82 up until the second quarter. Mr. Rodgers feels we are on target with the budget.

Mr. Pile reported that the School District is to meet on September 3, 1997 to review the bids received from the EIT Collection Agencies.

SHADE TREE

Mr. Krupa reported that the shade tree inventory is in progress. And The Committee is responding to residents on tree trimming. Mr. Danyluk asked about some dead dogwood trees on Bliss Street. Mr. Krupa has already spoken with the property owners on these trees. These trees are not hazardous just unsightly.

RECREATION/PLAYGROUND COMMITTEE

Mr. Pile reported that the August meeting will be held at the Ridge. They will be meeting with Nordac in reference to the sewerage treatment. The holding tank and block walls are caving in. There are looking for something better than is in operation now. Mr. Danyluk asked that we have some dollar amount on the rentals at the Ridge. Mr. Pile stated that he would be able to provide that information.

BUILDING /GROUNDS COMMITTEE

Mr. Danyluk had nothing to report.

C.O.G. Report

Mr. Davis reported that he was unable to attend the picnic. Mr. Bosley did attend. There was a demonstration of the sewer camera. This a smaller TV camera for approximately \$4000.00.

CHAPIN ARCH

Mr. Kory reported that due to several high priority projects the construction at Chapin Arch will not begin until the Spring. The Conservancy is ready to accept ownership after the project is complete.

MAYOR'S REPORT

No report.

SOLICITOR

Solicitor Lovette has reviewed the Anti-Pornography Ordinance and finds it to be in order to date. Mr. Danyluk made the motion to advertise the Anti-Pornography Ordinance for final approval at the September meeting. Seconded by Mr. Rodgers. All in favor, motion carried.

The Traffic Ordinance will be reviewed at the meeting August 26, 1997. Solicitor Lovette suggested that you will need a traffic sign inventory on each street within the Borough. Council tabled the motion to decrease the speed on Millcreek Road, requested by Westmont.

On the notification with reference to Anthony Wilt's Compensation hearings Solicitor Lovette stated that this is in the hands of the Insurance Companies. The Borough does not need to worry or attend these hearings.

SECRETARY'S REPORT

Mrs. Czyrnik's report records that the current garbage collection contract expires December 31, 1997. Mr. Rodgers made a motion to advertise for bids at the September 15, 1997 meeting. Seconded by Mr. Danyluk. All in favor. The bid will be for a two year contract and with an alternate 3 year contract. Spring Clean-up will be included.

Property has been sold on lower State Street. This will be turned over to Solicitor Lovette to file at the Courthouse. Mrs. Brenner called to thank Council for cleaning the upper Cheney Run area.

TREASURER'S REPORT

Mr. Rodgers accepted the Treasurer's report for the month of July in the amount of \$404,742.99 in the General Fund balance. Seconded by Mr. Kory. All in favor, motion carried.

TAX COLLECTOR

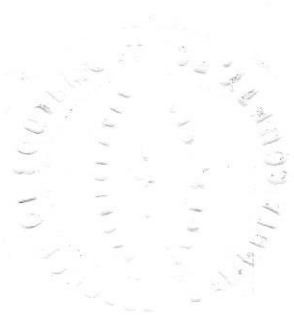
Mr. Quinn's written report for June records \$19,006.80 collected in Real Estate taxes and \$950.00 in Per Capita collections. A motion made by Mr. Rodgers that we received the Tax Collector's report, seconded by Mr. Krupa. All in favor, motion carried.

APPROVAL TO PAY THE BILLS

Mr. Kory has a question on the Industrial Appraisal that has been completed, including an inventory. A motion was made by Mr. Davis to pay the bills in the amount of \$72,004.74. Seconded by Mr. Rodgers. Roll Call: Mr. Rodgers, Mr. Danyluk, Mr. Davis, Mr. Krupa, Mr. Kory, Mr. Leventry and Mr. Pile, all in favor, motion carried. Hold A & H Equipment and Quaker until contract is satisfied.

OLD BUSINESS

Items on the "Tickler List" were discussed. Items were reviewed, removed and relisted. Removed Anti-Pornography and line painting on Susan Drive. Added Arlington Street Street Light re-location and having Kircon service AC each year. Council discussed various sewer projects that need reviewed. Council discussed having Hinks & Locher monitor construction at the PineBrooke Development area.



NEW BUSINESS

Mr. Rodgers made a motion to approve the request of the Community Arts Center to install a sign at the triangle area of Menoher Highway, advertising their Annual Log House Fall Festival. Seconded by Mr. Davis. All in favor, motion carried.

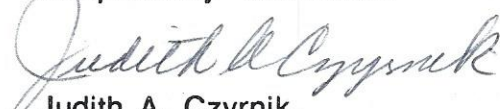
There is a Fall Conference in Reading October 17, thru 19. Mr. Rodgers made a motion to approve any Councilmember who wishes to attend may do so. Mr. Davis seconded. All in favor, motion carried. Please let the Secretary know to meet reservation time September 17, 1997.

Mr. Davis and Mr. Pile attended the Utility workshop in the Courthouse. This would be for Municipalities and later Hospitals, to join together to get lower utility rates. This is a pilot program.

Mrs. Czyrnik will attend the 20th Anniversary Celebration of the Senior Employment Program in Johnstown, on August 26, 1997 at 11:00 a.m. Council approved.

There being no other business, Council adjourned at 9:35 p.m. All in favor, meeting adjourned.

Respectfully submitted.


Judith A. Czyrnik,
Borough Secretary

