

BOROUGH OF SOUTHMONT
148 Wonder Street
Johnstown, PA 15905

Minutes for January 21, 2008

The pledge of allegiance was conducted and the scheduled January 21, 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 Dave Duray, Council Member Mr. Ed Danyluk, Council Member Mr. Herb Ewald, Council Member Mr. William Kory, Council Member Mr. Kevin Pile, Council Member Mr. William Krupa, Mayor Gerry Sloat, West Hills Police Chief Andy Havas, Fire Deputy Chief Mike Butler, and Fire Chief Mike Leckey.

Absent: Council Member Mr. Thomas Strittmatter, Street Commissioner Jan Bosley and Zoning Officer Jerry Hudson.

Visitors: Mr. Matthew McGlynn, 2175 Woodcest Drive, observing; Mr. John Torres, 434 Southmont Blvd., trees along the boulevard; Mr. Frank J. Torres, Hollsopple, damage to truck.

Meeting Agenda:

President Rodgers asked for approval of the council meeting minutes of December 10, 2007 and reorganization minutes of January 7, 2008. Mr. Pile made a motion to approve the council meeting minutes of December 10, 2007 and reorganization minutes of January 7, 2008 with change of who closed nominations for president. Seconded by Mr. Kory, all in favor motion carried.

President Rodgers called upon visitor Mr. John Torres. Mr. Torres addressed council on his concerns about trees along Southmont Boulevard, a tree fell on January 2nd and hit his brothers (Frank Torres) truck. Mr. Torres is asking council to look over the area and if there is anything council can do. There are exposed tree roots where trees are leaning toward the street as you can see by pictures Mr. Torres passed around to council. This is the second time a tree has fallen over and damaged a vehicle parked at his residence. Mr. Torres is concerned that someone may be hurt or a home may be damaged when the next tree falls. President Rodgers informed Mr. Torres that the trees are not the Borough's responsibility but the home owners. A letter will be sent to Mr. Torres informing him whose property the tree that fell belongs to. Solicitor Lovette will draft a letter for residents along the boulevard whose trees may fall stating any damage is their liability.

Police Chief's Report

West Hills Police report for November shows revenue in the amount \$126.24 (ordinance violations \$109.26 and vehicle violations \$16.98). Police Chief Andy Havas stated officers are attending in service training for 2008. Last month a twenty-five thousand dollar (\$25,000) grant was requested for protective body armor; heard back from Senator Wozniak's office and grant should be approved this year.

Zoning Officers Report

Mr. Hudson absent, as of now no activity, Mr. Hudson's report was reviewed. Mr. Krupa and Mr. Pile updated council concerning the outdoor furnace at 521 Diamond Boulevard; resident was smoking deer meat, discussion followed. A copy of ordinance #435 restricting

outdoor burning will be forwarded to home owner. Ordinance #435 will be placed on committee meeting agenda for council to review.

Fire Company Report

Fire Chief's written report records twelve (12) responses during the month of December. There were two calls between the hours of 10 p.m. to 7 a.m. Southmont had six (6) assists two to West Hills, one to Lower Yoder, two to Upper Yoder, and one to Conemaugh Township. 2007 yearly report records one hundred sixty-six (166) responses. There were twenty-eight calls between the hours of 10 p.m. to 7 a.m. Southmont had ninety-one (91) assists twenty-two to West Hills, twelve to Lower Yoder, thirty-five to Upper Yoder, three to Dale, five to Conemaugh Township, two to Riverside, two to Menoher Heights, eight to Westwood, and one to West Taylor. President Rodgers thanked Mike for the excellent information on the 2007 annual financial report and the 2007 fire chief's yearly report. Menoher Boulevard rock slide of November 27th and again on December 27th was discussed (PennDot agility agreement) will be placed on committee meeting agenda. Michael Butler is stepping down as Fire Chief into the Deputy Chief position. Mike Leckey will be Fire Chief. Council "thanked" Mike Butler for past service as Fire Chief, a round of applause followed. The Hilltop Ambulance Association report was received and is on file.

Engineer's Report

The written Engineer's report for January was received and reviewed. Mr. Pile made a motion to approve advertising for 2008 street paving in late February (opening bids in March). Seconded by Mr. Danyluk, all in favor motion carried. Mr. Duray will work with Mr. Danyluk on specs for replacing of steps at Ray Alley. Mr. Danyluk mentioned rain water going into sewer system and the dye testing that was performed on Violet Street, discussion followed. Solicitor Lovette will review for cases (making retro active to residents) this will be placed on committee meeting agenda.

COMMITTEE REPORTS

- A. **Street Commissioners Report:** Mr. Bosley absent. The written Street Commissioner's report for December was received and reviewed. Ms. Spak pointed out the water bill for the ball field is extremely high (\$639.48), discussion followed. Mr. Pile will speak with water authority to see if there is any relief possible. Ms. Spak will do some research on past grant for ball field restroom/storage this will be placed on committee meeting agenda.
- B. **Streets:** Mr. Ewald had nothing new to report.
- C. **Personnel:** Mr. Danyluk scheduled opening consultant applications on January 24th and requested part-time clerk job description be forwarded to council.
- D. **Police Committee:** Mayor Sloat nothing new to report.
- E. **Recycling Committee:** Mr. Pile will be looking into recycling if cost efficient and how program operates.
- F. **Insurance Committee:** Ms. Spak will get with Mr. Strittmatter and schedule a committee meeting in February. Policy for property, equipment, auto and liability insurance is scheduled for renewal on April 1st. We will be going out for three bids and checking coverage and/or what should be covered, will take action in March.
- G. **Budget Committee:** Mr. Pile will be monitoring budget month to month. Quick books have many report capabilities which will help with the monitoring. Mr. Pile mentioned the carry over for 2008 is \$187,758.34, several thousand over estimate (\$182,830).
- H. **Shade Tree Report:** Mrs. Orletsky has not contacted Mr. Krupa concerning trees on her property at 175 State Street. The Borough has documentation explaining Mrs. Orletsky's liability if damage occurs. Mr. Krupa is working on tree inventory and shade tree committee will be meeting in March.
- I. **Recreation Committee:** Mr. Kory stated job duties of employees are being discussed also the Sernell Group Consulting was awarded the web site contract.

- J. Building and Grounds Report:** Mr. Michael Kush request dated January 17, 2008 concerning closed in fenced area on corner of State Street and Olive Street (tennis courts), was discussed. Ms. Spak will send letter to Mr. Kush stating there were tennis courts in the past but they were not being used. Ms. Spak will send letter to recreation center informing them that bottom of fence is rolling up at courts (dangerous). Mr. Kory updated council on conversation with Southern Alleghenies Conservancy (Bob Ritchey). they are applying for a grant to rebuild wall behind archway and removal of some trees; they would be interested in taking over ground by Arch. Solicitor Lovette will prepare deed with restricted covenant for conservancy.
- K. COG Report:** Mr. Krupa will be attending meeting scheduled for February 5th.
- L. Grandview Committee:** Mr. Kory has nothing to report.
- M. Greater Johnstown Water Authority:** Mr. Pile mentioned a reorganization meeting was held and same officers as last year. Mr. Danyluk made a motion to recommend Mr. Pile to chair Rates, Rules, Regulations, & Policy Committee. Seconded by Mr. Kory, all in favor motion carried. A letter will be sent to water authority recommending Mr. Pile to chair committee, letter to be signed by council president. Mr. Pile stated water usage is going down not a lot going on because of winter, nothing more on windmills, and timber from one hundred forty-one acres (141) was sold for an estimate of around one hundred eighty-six thousand dollars (\$186,000). Water authority Solicitor Barbin's letter dated January 17, 2008 referencing council member on authority board was discussed. This was also addressed in the Borough News in the January, 2008 issue (page 66 Q&A). A council member may be appointed to a municipal board. However, a council member cannot receive compensation for holding a seat on an authority. Mr. Pile made a motion for Solicitor Lovette to confirm the above (joint authority different) and reply to Solicitor Barbin. Seconded by Mr. Ewald, all in favor motion carried.

Mayor's Report

Mayor Sloat mentioned he attended an Emergency Management meeting.

Solicitor's Report

Solicitor Lovette informed council the purchase of Gresh property is complete. Solicitor Lovette reviewed Centax agreement and on page 6 item 9 needs to reference section 22 not 23 (typo). President Rodgers doesn't like the four (4) year automatic renewal, discussion followed. Ms. Spak will pull current Centax contract, will look and see if contracts can be combined. Solicitor Lovette informed council on reimbursement to Southmont for all monies plus interest from PAMS 1990 embezzlement (reimbursed in December of 1996). Mr. Pile updated council concerning Westmont School Board/PAMS allowing Centax to receive a copy of earned income tax state list. PAMS has contacted Department of Revenue to research legality of request. Mr. Pajak, Centax Regional Manager, will contact Ms. Spak or Mr. Pile once a week to give update; discussion followed. Council will look into raising Local Services Tax (LST) in August, 2008.

Manager's Report

Ms. Spak's written report was submitted and reviewed. Mr. Danyluk questioned if house numbers from sidewalk inspections have been completed. Ms. Spak will give list to Mr. Danyluk to inspect. President Rodgers requested Ms. Spak to send a thank you for flag to Congressman Murtha. Mr. Pile moved to approve the manager's report. Seconded by Mr. Kory, all in favor motion carried.

Treasurer's Report

Mr. Pile made a motion to approve December's Treasurer Report in the amount of \$187,758.34. Seconded by Mr. Kory, all in favor motion carried. Mr. Pile made a motion to approve 2007 account transfers of \$53,404 to balance budget. Seconded by Mr. Danyluk, all in favor motion carried.

Tax Collectors Report

Mr. Kory noted we received the December Tax Collector's report with Real Estate revenues received at \$6,333.38. Seconded by Mr. Pile, all in favor motion carried.

Payment of Bills

Mr. Krupa would like to have an executive session at end of meeting. Mr. Pile made a motion to approve payment of bills in the amount of \$51,758.42. Seconded by Mr. Kory; roll call: Mr. Danyluk, Mr. Ewald, Mr. Kory, Mr. Pile, Mr. Krupa, and Mr. Rodgers all in favor, opposed none.

Old Business

President Rodgers reviewed "Tickler List" audit recommendation for purchase order policy is complete and should be removed. President Rodgers will be scheduling a date for a committee meeting.

New Business

Mr. Pile made a motion to ratify insurance on both pickups from full to liability only. Seconded by Mr. Danyluk, all in favor motion carried. President Rodgers mentioned his plan on using committee's to address issues prior to being put on table for council review/approval.

At 8:55 p.m. President Rodgers called for an Executive Session to discuss personnel issues. At 9:03 p.m. Council reconvened.

There being no further business, a motion was made by Mr. Pile for adjournment of the January 21, 2008 meeting at 9:04 P.M. Seconded by Mr. Krupa, all in favor motion carried.

Respectfully submitted,

Loretta Spak, Borough Manager

2/6/2008 10:27 AM