

MINUTES
BOROUGH OF SOUTHMONT
May 15, 1995

The scheduled meeting of Council was called to order by President Glass at 7:30 P.M.

After the pledge to the flag, the May meeting of Council convened.

PRESENT: Mr. Glass, Mr. Pile, Mr. Leventry, Mr. Rodgers, Mr. Kory, Mr. Krupa, Mayor Robert Morgan, Solicitor: Dan Lovette, Engineer: Ron Walker, West Hills Police: Chief Andy Havas, Street Commissioner: Jan Bosley, Mr. Dailey: Hilltop Ambulance, Secretary: Judith Czyrnik, Zoning Officer: Fred Pullen, Fire Co: Michael Butler
ABSENT: Mr. Danyluk,

VISITORS:

Karl & Linda Kushner-Okra Alley	Deborah Goodman-Trees
Ray Hartnett-Trees	Patty Rosenbaum-Trees
John & Pat Daloni-Trees	Terry O'Neil-Trees
Marilyn Cramer-Trees	Keith Griffith-Cheney Oak Development
Sally Getty-Observer	Jane Hanzel-Observer

At this time President Glass asked for approval of the April 17, 1995 regular Council meeting minutes. Mr. Krupa made a motion to accept the minutes of the April 17, 1995 meeting of Council. Motion seconded by Mr. Pile. All in favor, motion carried.

BID OPENINGS-None this month

VISITORS

At this time President Glass called on Ray Hartnett as spokesperson for the concerned residents who oppose the projected tree trimming that M & T Associates are planning on their property behind Wren Street. Mr. Hartnett presented Council with a petition with 154 names of residents who oppose the removal of a number of trees in the hillside back of Wren Street. Mr. Hartnett had requested that several undermined and diseased trees be removed as they pose a threat to his property. The residents are concerned with the consequences of the loss of many trees, with runoff problems and swamp conditions at the base of the woods. Some of the concerns are that the Borough have a Storm Water Ordinance and if clearing trees would violate the Ordinance? We do have a Storm Water Ordinance but no reference to tree clearing. President Glass reviewed the questions on the petition about timber harvesting ordinances and sediment and erosion plans, neither are required by the Borough for trimming. Mr. Glass felt that Southmont Borough is not considered a tree forested area and many of these requirements are not necessary for a suburban residential community.

It was Mr. Glass's understanding that M & T are removing only the mature trees. President Glass ask Mr. Krupa to respond to the question of tree replacement when trees are taken down. The Shade Tree Commission does have a permitting program and does require an agreement with resident to replace trees in the tree lawn area or Borough right of way. There is nothing for replacement on private property. Solicitor Lovette agreed that the Borough cannot become involved with a situation involving private property. Borough Code does not allow Council to become involved in a private property concern. In the event of damages due to the removal of these trees it would become a civil matter by the residents or by the Borough if it effected thr Cheney Run channel. Solicitor Lovette will speak to both M&T's attorney and Mr. Hartnett's to see if either side can come to some agreement and to express the Borough's concerns.

Mr. Keith Griffith of Heritage Real Estate wanted to discuss the possibility of continued development in the Cheney Oak section. M & T Associates have contacted Heritage to follow thru with the marketing of the property for development. Council informed Mr. Griffith to discuss any zoning question with Mr. Pullen. Mr. Pullen will check on the Zoning Hearing Boards decision in 1989 for that parcel of land. Solicitor Lovette suggested Mr. Griffith talk with Mr. Hartnett about the possible sale of the M & T Associates property situated at the lower end near Wren Street. Mr. Hartnett was interested in possibly purchasing a section of that property prior to tonights meeting.

POLICE CHIEF'S REPORT

Chief Havas written report records revenue for the month of March \$737.33. (April's revenue was not received before Council meeting) Chief Havas reported on a bicycle safety program May 20th at the Richland Mall. The program is sponsored by the Cambria-Somerset Crime Stoppers. Chief Havas has scheduled the extra officers for the jubilee. There was a gasoline spill April 20, 1995, and the Fire Department cleaned it up and reported it to the Borough Secretary. Chief Havas reported that one of the officers pumped gas and a small amount spilled out. Apparently the rain caused the spill to spread throughout Artichoke Alley. Chief Havas felt it was an accident and apologized for the inconvenience. Mr. Glass and Mr. Danyluk recommend that we purchase a spill kit to keep on hand in the event that should happen again. Mr. Bosley will order the kit.

Mr. Leventry reminded Chief Havas that the Recycling Center was not opened on two Saturdays recently. Chief Havas will remind the officers about opening the Center.

HILLTOP AMBULANCE REPORT

Mr. Dailey reported that the station number has been changed to station 21 for dispatching purposes. The Association is running very well; the membership drive is completed and a fund raising program for a new ambulance is being scheduled. Mr. Dailey submitted March and April minutes to Council.

ZONING OFFICERS REPORT:

Written report records, 5 permit issued for this month, with an estimated construction cost of \$24,650. Mr. Pullen has sent BOCA code violation notices to Mr. John Klanchar and Mr. John Hearn. K-Y Properties is planning to construct 5 additional townhouses before the end of the year. Proposed development of the former Ye Old Country Club (Chiodo's) will probably not be until 1996. Mr. Pullen waived three permits this month. One for Westmont leaf recycling sign, one for Southmont Diamond Playground and one for the soccer scoreboard. Mr. Rodgers noted that Mr. Pullen is doing a good job with the BOCA code violations.

ENGINEER'S REPORT

Mr. Walker informed Council of boundary changes on the new Borough map. House numbering has been completed and some address changes have been made thru 9-1-1 and will be added to the map. Mr. Walker prepared the estimate for the Bluff Alley construction, as requested for Mr. Dave Wilkinson. The estimated cost would be \$21,000 to include 370' of storm sewer drains, stone subbase and paving. A copy has been sent to Mr. Wilkinson. Gravel has been put in the alley as suggested by Council.

Mr. Walker submitted the estimated costs for street paving for 1995 in the amount of \$85,850.00. The handicapped area at the Playground is not in the estimates, however it will be done. Mr. Leventry will review the estimates with Council in the Street Committee report. Mr. Walker was excused early.

FIRE COMPANY REPORT

Chief Butler's written report records 28 members attended 83 sessions of training. The classes included CPR, Tactical Operations I & II, Flammable Liquids, Structural Burns and Fire Fighter Certification. Mike Leckey and Frank Ozog have passed the national Fire Fighter I certification. John Butler received 1st and 2nd degree burns while attending the flammable liquid class. He was treated at the hospital. Chief Butler reported on a meeting scheduled for May 31, 1995 with the Water Authority on hydrant testing. The Fire Company submitted to Council a list of fund raising events for the year and a two month schedule of the Fire Company activities. The Jubilee will be from May 29 till June 3rd. Mr. Butler has reserved the field with the Recreation Commission. Set up begins May 24, 1995. Mr. Glass made note that the minutes of April 17, 1995 be amended to read the Council approved permission to hold the Fire Company parade, along with the motion made for additional police and borough truck use for the Jubilee. So moved by Mr. Rodgers, all in favor.

Mr. Rodgers reported to Council on a meeting with the Fire Company and the Insurance Committee to review the recommended duties and activities list that are to be covered by Worker's Compensation.

Several questions were addressed at this meeting. Mr. Rodgers discussed the Ladies Auxiliary coverage by the Worker's Compensation insurance. If the Fire Company chooses to make the Ladies Auxiliary members of the fire company they would be covered. It would be up to the Fire Company to put that in their charter.

Another question was if the Fire Police are covered, and Mr. Rodgers said they were under other coverage. Recommendations are that a yearly activities list be submitted to Council. If anything additional comes up during the year a written request to Council for approval would be necessary. One item on the list specifies the radius of 30 miles for participation in funerals and parades. The Compensation carrier felt this was a sufficient mileage radius. The request initially was for 70/75 miles radius.

Mr. Rodgers made a motion to adopt the list of Worker's Compensation covered duties and activities, as submitted, Mr. Pile seconded the motion. Roll Call vote; Mr. Rodgers, Mr. Krupa, Mr. Kory, Mr. Leventry, Mr. Pile and Mr. Glass, all in favor. Opposed none. Motion carried 6-0. Mr. Danyluk was absent. Mr. Kory thanked Mr. Rodgers and Mr. Pile for all their work and for taking over to complete this Compensation matter for all parties involved.

At the request of Mr. Koval, the Recreation & Playground Committee reports were moved forward on the agenda.

RECREATION & PLAYGROUND

Mr. Koval reported that the construction of the playground is in the 4th day, and the Borough is doing some of the excavation work. The Contractor has been having some problems and the Borough, Penelec and the Greater Johnstown Water Company have been lending a hand to complete the project. Council will be looking to adjust the Excavating Contractor's invoice since he did not complete his part of the quote. Mr. Koval invited Council to the Opening Day celebration on May 20, 1995 from 1 p.m. till 4 p.m.

Mr. Pile reported for the Recreation Commission that both the Keystone Grant applications for the Ridge and the Grant for the soccer field were rejected. Portage Bank has installed the soccer/softball scoreboard in the ball field. The Commission is looking to sell advertising space at the Grove. Mr. Pile requested the balance of the playground contribution for the equipment. (\$6,000 will be added to the bill sheet.) This will be reimbursed to Southmont next year. this was a budgeted expense.

COMMITTEE REPORTS

STREET COMMISSIONER'S REPORT

Mr. Bosley's written report records gravel and debris were cleaned up, and catch basin were cleaned after storms. Streets were salted several times during the month. Cleaned the gutter out on Leon Street, and the ditch along Squash Alley. Dug holes and planted on Arbor Day. Installed fence posts and fence on new wall at the Borough Building. Tapped a 4" drain pipe at 306 Olive Street into catch basin at 301 Diamond Blvd. Installed a 190' french drain in the Diamond Playground. Streets were swept early this year because of the weather. Borough employees began crack sealing streets early in May. They have scheduled the machine again for 3 weeks in the fall. Mr. Bosley met with the safety representative, Mr. John Johns who recommended we store our aerosol paint and lubricants in a fireproof locker and use steel gasoline cans instead of plastic. Mr. Bosley had priced the lockers at \$264.00. A motion by Mr. Pile to approve the replacement of the plastic gas cans and get a locker for the aerosol cans. Seconded by Krupa. All in favor, motion carried. Mr. Bosley plans to do some storm sewer work on Palliser Street and there is a sink hole problem on Diamond Blvd. that will need to be smoke tested.

STREET COMMITTEE

Mr. Leventry reviewed with Council the results of the the street inspection meetings. The Committee was concerned about paving on Leon Street and surveying the right of way in order to possibly removed the gutter problem. The run off water is causing the street to be undermined. They are looking to enclose the gutter to remove this problem. Leon Street paving will be postponed for this year. Another concern was Pepper Alley (Peach) in the park. The section that was being considered for paving, no front footage was ever paid. After Council discusses the plans with residents, it may be considered for next year. The Borough also has considered paving the 100 block section of Diamond Blvd. Residents have been surveyed and, of those who responded none opposed the paving. It will be paved.

Mr. Leventry reviewed the Engineer's preliminary estimate of the 1995 street paving which is \$85,850.00. It has already been approved to advertise and we will open bids at the June meeting.

Mr. Leventry and Mr. Glass reviewed the EDU request for 1995. It appears we will be alright for any construction in 1995. In the event we would need any more we can request more. Mr. Leventry and Mr. Glass met with Mr. Mark Walker about the EDU requests. Several inspections have been corrected and other remaining violations have promised to correct their violation. Some upstream infiltration problems still need investigated and Mr. Leventry and Mr. Glass will continue to work on this project, along with Mr. Bosley.

There was some discussion on the sanitary sewer work that remains to be done, under the DER Corrective Action Plan. Two estimates of \$26,000 and \$10,000. were the initial cost estimates for repairing Otis Street sewers. Mr. Leventry felt we should pursue the possibility of pressure grouting the line like we did on Southmont Blvd. The costs could be much less. Mr. Leventry will talk with the Engineers.

ADMINISTRATION & PERSONNEL COMMITTEE

Mr. Leventry will schedule a meeting to review job descriptions, evaluation forms and ADA requirements. And a reminder that a sidewalk inspection meeting will be scheduled.

RECYCLING COMMITTEE

In the absence of Mr. Danyluk, Mrs. Czyrnik reported that Mr. Danyluk had a request to closed the Center on the major holidays. A motion by Mr. Pile to close the Recycling Center the same defined holidays as the Borough offices are closed. Seconded by Mr. Rodgers. All in favor. Motion carried. The Police will be notified.

Mr. Glass reported on the leak detection seminar he and Mr. Danyluk attended last week. The underground storage tanks must be dipped each day and the volume checked each day for the insurance requirements. By 1998 new requirements will be in effect and the Borough will have to look at replacing the steel tanks and replacing with fiberglass tanks. There are many regulations that we will have to follow in order to have our own tanks. We are in compliance for now, but that will change by 1998.

POLICE COMMISSION/COMMITTEE

Mr. Pile reported that the Commission has been able to use a 1990 Ford Thunderbird, obtained thru the Drug Task Force, for investigation work at no cost. They can use the vehicle probably until September. The Police Commission is working with a consultant as to what they need for a new computer system.

INSURANCE COMMITTEE

No other report

BUDGET COMMITTEE

Mr. Rodgers had nothing to report.

SHADE TREE

Mr. Krupa reported on the Arbor Day celebration. Everything went well and the trees and shrub were all planted. Mr. Bosley has since reseeded the area. Mr. Krupa received a price of \$575.00 from Green Mountain Tree Service, to removed several trees, stumps, and do some trimming throughout the Borough.

After some question if the Shade Tree Commission is going to complete the planting around the Center, a motion was made by Mr. Pile to finish the planting, and if the Shade Tree budget would overrun transfers will be made to cover this expense. Seconded by Mr. Rodgers. All in favor, motion carried. Mr. Krupa has requested some estimated costs Mr. Krupa talked about spraying for the gypsy moth in Borough Shade trees. Mr. Krupa will get prices and a list of the recommended areas. Mr. Krupa noted that some trees and shrub will be planted in the Playground during the opening day celebrations. There are several trees in the playground area that are not healthy but it was decided to wait before removing them.

CABLE TV COMMITTEE

Mr. Rodgers reported that the Cable TV Steering Committee is still negotiating. They are narrowing the list of requests. Mr. Rodgers stated that the consultant that was hired thru the COG and the 18 municipalities involved is doing an excellent job. Mr. Rodgers reported that they are trying to get some technical aspects built in to the franchise rather than request them. Items like billing, and franchise fees are on the table now. Terms of the contract are still being negotiated.

CHAPIN ARCH COMMITTEE

Mr. Kory had nothing new to report, he is still waiting to hear from Penn Dot about the sale of the right of way. Mr. Kory has not gone back to Grandview since he did not hear from Penn Dot. One of Mr. Kory's students will be continuing with the history of Southmont.

C.O.G REPORT

Mr. Danyluk did attend the COG meeting. No report

MAYOR'S REPORT

Mayor Morgan left early and only reported that he had checked on a complaint of some dumping along Southmont Blvd. He did see yard waste and trimmings were being dumped over the hillside.

SOLICITOR'S REPORT

Solicitor Lovette prepared an Ordinance vacating Okra Alley and the Ordinance has been advertised. A motion was made to approve the Ordinance to vacate Okra Alley(formally Orange Alley) by Mr. Kory, seconded by Mr. Leventry. Roll call vote; Mr. Rodgers, Mr. Krupa, Mr. Kory, Mr. Leventry, Mr. Pile and Mr. Glass. All in favor, opposed none. Mr. Danyluk was absent. Mr. Kushner ask if he needed a permit to put a sidewalk and curb in. Mr. Pullen answered no permit is required.

It was reported that Westmont and the School Board are to meet June 6th about Hales Road. Nothing to report. Solicitor Lovette has not heard from Attorney Horner in reference to Mr. Karl Kenney's request to move catch basins and curb along State Street. Apparently Mr. Kenney has had his property surveyed, but we have not heard anything.

SECRETARY'S REPORT

Mrs. Czyrnik's written report records 9-1-1 address changes have been approved by the Emergency Management System. New numbering was necessary for the Edward Street properties due to the new townhouses and the proposed 5 unit addition later this year. Also two R. State Street addresses have been changed. A question on the liability at the Playground. The Recreation Commission and the Borough both have coverage. Solicitor Lovette did not feel any need for an agreement about the responsibility on the Playground. Both will be responsible.

TREASURER'S REPORT

Mrs. Czyrnik's written report records a final balance of \$146,312.71 in the General Fund for April 1995. Approved by Mr. Pile, seconded by Mr. Kory. Roll call vote; Mr. Rodgers, Mr. Krupa, Mr. Kory, Mr. Leventry, Mr. Pile and Mr. Glass. All in favor, opposed none. Mr. Danyluk was absent.

TAX COLLECTOR

Mr. Quinn's written report records \$39,746.43 collections for April Real Estate, and \$2258.90 collections for Per Capita. Total collections of \$42,005.33. Mr. Pile made a motion to accept the Tax Collector's report, seconded by Mr. Krupa. All in favor.

APPROVAL TO PAY THE BILLS

A motion by Mr. Pile to pay the bills in the amount of \$27,987.96 and to add the \$6,000 balance for the playground payable to the Recreation Commission. A total amount of \$33,987.96. Seconded by Mr. Rodgers. Roll call vote; Mr. Rodgers, Mr. Krupa, Mr. Kory, Mr. Leventry, Mr. Pile and Mr. Glass. All in favor, opposed none. Mr. Danyluk was absent.

Mr. Rodgers commended the Playground Committee for their efforts in the installation of the Playground and the Recreation Commission for their part in achieving two playgrounds this year. Thank you letters will be sent.



UNFINISHED BUSINESS

Mr. Glass suggested that the "No Parking" signs be installed in the upper end of Artichoke Alley and the "No Parking" sign near Thoburn Street be removed. All residents have received a letter informing them of the change.

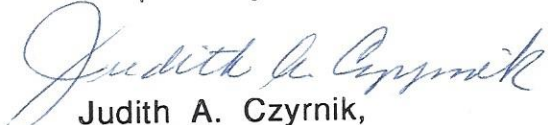
The Borough has put \$5000.00 into the Budget for windows. Mr. Leventry will get several quotes on the replacement of all the windows, on the alley side of the building, for next months meeting.

NEW BUSINESS

Mr. Pile made a motion to consult with Tom Lewis of the Lewis Group, for a review of the costs to update our computer system and programs. Motion seconded by Mr. Rodgers. There is no initial consultant fee. Our system does not have the Accounts Payable check writing ability. Our Treasurers Report is on the computer however, it is done manually instead of automatic. The system has not be updated since the initial programs were written.

A motion to adjourn at 10:25 p.m. All in favor.

Respectfully submitted.


Judith A. Czyrnik,
Borough Secretary

