

MINUTES
BOROUGH OF SOUTHMONT
October 20, 2003 7:00 p.m.

The scheduled October Council meeting was called to order by President Pile at 7:00 p.m. After the pledge to the flag, the October 20, 2003 meeting of Council convened.

PRESENT: President Pile, Mr. Rodgers, Mr. Graham, Mr. Kory, Mr. Strittmatter, Mr. Krupa, Mr. Danyluk, Solicitor: Daniel R. Lovette, Mayor: Gerry Sloat, Secretary/Treasurer: Judith Czyrnik, Zoning Officer: Dyke Orms, West Hills Police Det. Sgt. George Musulin

ABSENT: West Hills Police: Chief Andy Havas, Engineer: Dave Duray, Street Commissioner: Jan Bosley

VISITORS: Mike Fuller, Waste Management Herb Martin 519 State St
Rose Kniss 311 Leila St Susan Martin 519 State St
Terri Meehan 307 Leila St. Molly Martin 519 State St
Fred Partsch 218 Wonder St. Det. Sgt. Geo. Musulin/WHRP

President Pile asked for approval of the September 15, 2003 Minutes and Committee Meeting Notes of Sept 30 and October 7, 2003. A motion was made by Mr. Krupa to accept the Minutes and Committee Meeting Notes, as submitted. Seconded by Mr. Strittmatter. All in favor, motion carried.

At this time, President Pile called for a motion to open the Garbage Bids. A motion was made by Mr. Rodgers, seconded by Mr. Graham to open the Bids. All in favor, motion carried. Five specs. were mailed out, and one bid was received.

Waste Management submitted a bid for:

One Year Contract at \$95,076

Two year Contract at \$192,546.

Three Year Contract at \$292,410. All bids include Spring Clean-up.

After a lengthy discussion, Mr. Danyluk made a motion to accept the bid for a three year contract in the amount of \$292,410 pending Solicitor review. Seconded by Mr. Graham. Roll call: Mr. Rodgers, Mr. Graham Mr. Kory, Mr. Danyluk, Mr. Strittmatter, Mr. Krupa and Mr. Pile. All in favor, motion carried.

Council asked Mr. Fuller if he could justify the increase of about \$20,000 from the last contract. He explained that Waste Management is suffering the same problems as Southmont with high health costs, fuel and wage increases. Mr. Danyluk asked that if the Intergovernmental Cooperation Committee could get municipalities together to bid one contract, could the rates be better. Mr. Fuller stated that it would be worth looking into for future bidding. Mr. Fuller agreed to giving Southmont 4 new receptacles for the soccer/ballfield area.

At this time Mayor Sloat administered the oath of office to Auditors' Terri Meehan and Rose Kniss. Mr. Graham made a motion to approve Mrs. Meehan attending the Auditors' workshop in Somerset. Seconded by Mr. Rodgers. All in favor, motion carried.

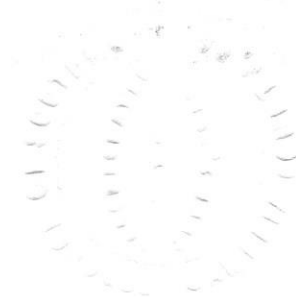
President Pile called upon visitor Fred Partsch. Mr. Partsch wanted to remind Council of a problem in Apple Alley where the dirt was piled higher than the apron from construction of a garage on the property at the corner of State and Dell Streets. Mr. Partsch uses that alley and finds it hard to get in and out. Mr. Partsch feels the abutting property owner piles snow and leaves in this alley from time to time. Mr. Danyluk will look into the problem in Apple Alley.

Mr. Pullen was asking about the debris and construction at 1070 Luzerne Street. The property owner has not complied with the past violations for the parking area in the back of the property. A two-row tied rail build up was to be completed. This has not been done. Mr. Orms will check into the situation.

Mr. Martin wanted to ask Council for some help in the speeding problem on State Street. Mr. Martin said the painted words "SLOW" have helped, however, speeding still exists. Council has written Upper Yoder Twp. suggesting that at the "Stop" sign on Keppler, the "Except Right Turn" be removed. We haven't received a decision to date. Council discussed this problem with Det. Musulin. Recommendations are that Mayor Sloat, Det. Musulin and Chief Havas resurvey this area and make recommendation by the next meeting. Some suggestions are 1.) stop signs on State and Leon St., 2.) more visibility in the area, 3.) and to check with Upper Yoder Twp. for a decision on our request.

POLICE CHIEF'S REPORT

In Chief Havas's absence, Det. Sgt. Musulin reported revenues for month at \$328.03. Det. Sgt. Musulin reported on activities for the month of September. Det. Musulin reported on a question about parking on Floyd Street near the intersection of State and Floyd Street. The vehicles in question are legally parked. After discussion, it was noted that no action at this time will be taken. Police will continue to monitor. On a request from Mr. Haidar, Mayor Sloat and Chief Havas looked at a Stop Here sign on Luzerne Street. The sign interferes with the driveway at 1070 Luzerne Street. Mayor Sloat had Mr. Bosley replace the sign about 3-4 feet back. It does not interfere with the traffic light device in the street. Open House was held September 20, 2003 and was very successful. The \$6,000 grant from DCED was verified. Office Fisher has been designated as the West Hills representative to Task Force Intergovernmental Agreement with the PA State Police.



ZONING OFFICERS REPORT

Mr. Orms report records that there were 10 permits issued this month. Construction total year to date is \$530,324.00. Mr. Orms removed the sign along Mencher for M&M Asphalt Paving. There is a Zoning Hearing Board meeting on November 5, 2003 to hear the appeal of Tim and Holly Rigby with reference to a garage they want to build. Insufficient set back is the reason for the denied permit. Catherine Mishler corrected a violation of a downspout being diverted onto neighbor's property. Council directed Mr. Orms to look at several vacated properties in the Borough. These homes have been vacant for over a year and are beginning to become overgrown with brush and some are in need of repair. He will proceed with a BOCA letter if needed and confer with Zoning Solicitor Kiniry.

FIRE COMPANY REPORT

Chief Borosky's written report records that there were 10 assists during the month. There were 2 calls during the hours of 10 p.m. to 7 a.m. The Fire Company assisted at the scene of a vehicle fire on Barnett at Mencher. Two in-service training sessions were held. The annual fire drill and inspection was held September 12, 2003 at the McCullough House. Chief Borosky also reported on a fire inspection at the Johnstown Brewing Company. Several violations were found with smoke detectors and fire extinguishers. Some minor problems were found with the new electrical system not being labeled properly. Chief Borosky reported that while the Southmont Fire Truck is out to have the water tank replaced, the department will be using Mencher Heights extra truck. PIRMA has been made aware of the change. Also, Westwood requested housing the refurbished fire truck again in our old garage. Insurance papers are in order and PIRMA will be notified. Letters will be sent to residents along Floyd Street to trim the overhanging trees. The Hilltop Ambulance monthly report is on file.

ENGINEER'S REPORT

In the absence of Mr. Dave Duray of P.C. Rizzo & Associates his written report was reviewed by Council. The street inspections were held for a preliminary cost estimate on 204 paving. The flow meters are working after being reinstalled after the threat of Hurricane Isabel. Celeste Drive was reviewed by Mr. Duray, Mr. Danyluk and Mr. Bosley for a possible abandonment of a portion of Celeste. After discussion it was decided that no action should be taken at this time. The County GIS program was discussed. Mr. Duray had spoken with Mr. Knepper concerning the assessment from the County for joining the County's GIS program. Council decided that a GIS County representative should attend a Borough Committee meeting at some time. The Street Committee reviewed the request of the Arlington Street residents who asked for a "cul-de-sac" area so vehicles do not use driveways at 153 Arlington and 159 Arlington Street. To provide the "cul-de-sac" would require additional property and construction of probably two retaining walls to provide enough area to turn around. An alternative would be to make some revisions to an existing unopened alley for use as a turnaround.

The rain gauge was discussed. Mr. Duray should contact the company and discuss how many times the rain gage was inoperable and repaired during the years we had it, regarding the warranty. This will be discussed further.

COMMITTEE REPORTS

STREET COMMISSIONERS REPORT

Mr. Bosley was absent tonight and his written report records that employees cleaned the borough building, recycled weekly, and monitored designated sanitary sewer lines and continued to do maintenance on vehicles and equipment. Picked up branches after storms in the area. Mr. Bosley will make further corrections next spring. He wants to increase the line from 12" to 18" about 200' towards Helen Street. Dye tested sections of the Borough for DEP/CAP. Rebuilt top screens for the leaf loader. Loaded last year's leaves on trucks and had hauled away. Rebuilt catch basin on Luzerne Street. Installed Watch Children and 10MPH signs in Kale, Hannah and Pepper Alleys to slow traffic. The Cheney Run was inspected by DEP and Southmont received an excellent rating. A potential problem at 175 State Street was brought to their attention. Trees are pushing the fence out. DEP will handle the complaint. New leaf machine was received October 17, 2003. A motion was made by Mr. Danyluk to approve advertising the old truck for resale and the old leaf machine. Seconded by Mr. Graham. All in favor, motion carried. Nothing further to report.

STREET COMMITTEE REPORT

At this time Mr. Danyluk stated that only one bid was received for the outdoor light on the handicapped sidewalk. It will be installed by Mint Electrical for \$225.00.

ADMNS. & PERSONNEL COMMITTEE

At this time President Pile called an Executive Session. (8:35 p.m.) At 8:35 p.m. President reconvened the meeting. President Pile appointed Mr. Kory, Mr. Graham and Mr. Krupa to an Ad-Hoc Committee for the position advertised. Seconded by Mr. Danyluk. All in favor, motion carried. The Ad-Hoc Committee will decide on sending letters to persons who will not be called for interviews, thanking them for sending resumes. Interviews will continue. Mr. Rodgers made a motion that council members should attend any of the MEIT Hospitalization workshops if necessary. Seconded by Mr. Graham. All in favor, motion carried.

POLICE COMMITTEE

There will be a meeting October 21, 2003, at 7:00 p.m. at the Westmont Borough building. Mr. Strittmatter reported the 2004 Budget is submitted in the amount of \$137,080.00. No other report.

RECYCLING COMMITTEE

Report on file.

INSURANCE COMMITTEE

Waiting for Budget figures for Liability and Worker's Compensation.

Hospitalization is up 20% or more.

BUDGET COMMITTEE

Mr. Rodgers stated that the 2003 Budget is in good order and the 2004 Budget preparation will be October 29, 2003. The 3rd qtr. shows that we have collected 92% of revenues and about 56% of expenditures. Some big ticket items will be coming up by the end of the year. All Committees are asked to submit their requests. Mr. Rodgers wanted to discuss the Cable-TV sale and the cost of increases proposed. There is a meeting scheduled for November 5, 2003 at the Homestead Restaurant at 6:00 p.m. Mr. Rodgers strongly suggests Council members attend.

SHADE TREE REPORT

Mr. Krupa reported that the newsletter will be at printers this week. Lichtenfels is beginning to get to the planting. There are still trees to be planted. A final tree and branch removal will be done in early November.

RECREATION COMMITTEE

Mr. Pile reported that recreation minutes are on file.

BUILDING/GROUNDS REPORT

The Budget figure for the second storage shed on Diamond was submitted in the amount of \$14,500.00. No further report.

COG REPORT

Mr. Graham reported that Cable-TV was the topic. No other report.

GRANDVIEW COMMITTEE

Mr. Kory had nothing to report other than we received a letter from Grandview denying our request for monies towards the Millcreek Rd. paving.

Gr. JOHNSTOWN WATER AUTHORITY

The Greater Johnstown Water Authority minutes have been submitted. Council should be looking for replacements on the Authority. No further report.

MAYOR'S REPORT

Mayor Sloat reported the trees were cut on Susan Drive and that the run-off water at 306 Olive Street is being corrected.

SOLICITOR'S REPORT

Solicitor Lovette presented the final draft of proposed Ordinance 440 prohibiting parking on street of RV'.etc. After discussion, a motion was made by Mr. Graham to advertise Ordinance 440 and was seconded by Mr. Danyluk. All in favor, motion carried.

Solicitor Lovette prepared proposed Ordinance No 441 to rescind the fee to Auctioneers in a section of Ordinance No. 3, according to the State Act 63, P.S., § 734.14, and resolution No 2003-07, rescinding the increased fees in several previous resolutions. After review, Mr. Rodgers made a motion to approve Resolution 2003-07 revoking the fees for Auctioneers and to advertise for approval Ordinance No. 441 rescinding that section of Ordinance No 3. Seconded by Mr. Graham. All in favor, motion carried. Solicitor Lovette discussed the Cambria Court Tax Appeal from Picking Treece Bennett on Menoher. A motion was made by Mr. Rodgers to have Solicitor Lovette attend the hearing (when scheduled), seconded by Mr. Krupa. All in favor, motion carried. Mr. Krupa will be available if necessary to testify, as he attended the Tax Appeal Hearing on 9-9-03. It was noted that the Redevelopment Authority has filed a PUC application to transfer the wastewater treatment facility from City of Johnstown to Johnstown Redevelopment Authority. No action necessary.

SECRETARY'S REPORT

Mrs. Czyrnik's written report records final letters were written to Trademark Homes and Christopher Crocco to make corrections to the storm water draining onto borough streets. A motion was made by Mr. Rodgers to appoint Mr. William Kory to the Intergovernmental Cooperation Group. Seconded by Mr. Graham. All in favor, motion carried. They will be notified. A motion was made by Mr. Rodgers that Mrs. Czyrnik attend the Cambria County Borough's Fall Dinner. Seconded by Mr. Danyluk. All in favor, motion carried. The Pennsylvania Municipal Retirement Policy for part time employees will be placed on the "Tickler List" for further review.

TREASURER'S REPORT

Mr. Rodgers made a motion to approve the August's corrected Treasurer's Report in the amount of \$401,192.95 and the September Treasurer's Report in the amount of \$372,520.13. Seconded by Mr. Kory. All in favor, motion carried.

TAX COLLECTOR'S REPORT

Mr. Rodgers noted that we received the September Tax Collector's report with Real Estate revenues at \$1,901.19. Seconded by Mr. Kory. All in favor, motion carried

PAYMENT OF BILLS

After questions and discussion, Mr. Graham made a motion to approve payment of the bills in the amount of \$117,736.84. Motion seconded by Mr. Krupa. Roll Call: Mr. Rodgers, Mr. Graham, Mr. Kory, Mr. Danyluk, Mr. Strittmatter, Mr. Krupa and Mr. Pile all in favor, opposed none.

OLD BUSINESS

Mr. Pile asked for review of the items on the "Tickler List". Items were reviewed and removed or re-listed.

NEW BUSINESS

After discussion, a motion was made by Mr. Kory to join the Greater Johnstown Cambria County Convention & Visitor's Center for a membership fee of \$95.00. Seconded by Mr. Strittmatter. All in favor, motion carried. President Pile reviewed workshops for the following months. Mr. Danyluk recommended that anyone who wishes to attend the Winter Maintenance Workshop be approved. Seconded by Mr. Rodgers. All in favor, motion carried. There is a 4:00 p.m. Negotiations Committee meeting on Thursday October 23, 2003. Mr. Bosley will be asked to attend.

Mr. Danyluk reminded Council to continue to look for replacements to the Greater Johnstown Water Authority.

There being no further business, Mr. Pile adjourned the October 20, 2003 meeting at 9:15 p.m.

Respectfully submitted,

Judith A. Czyrnik

Judith A. Czyrnik,
Borough Secretary