

**MINUTES**  
**BOROUGH OF SOUTHMONT**  
**August 20, 2001 7:00 p.m.**

The scheduled August Council meeting was called to order by President Pile at 7:00 p.m. After the pledge to the flag, the August 20, 2001 meeting of Council convened.

**PRESENT:** President Pile, Mr. Rodgers, Mr. Kory, Mr. Danyluk, Mr. Krupa, Mr. Strittmatter, Mayor: Lary Koval, Secretary/Treasurer: Judith Czyrnik, Solicitor: Daniel R. Lovette, Engineer: David Duray, Street Department: David Weir, Fire Dept.: Chet Borosky, West Hills Police: Chief Andy Havas.

**ABSENT:** Mr. Rovanseck-Councilman, Jan Bosley-Street Commissioner, Zoning Officer: Dyke Orms

**VISITORS:** Fred R. Pullen 1110 Menoher Blvd.  
Mike Bukowski-Magerko & Associates  
Charles McCabe-Magerko & Associates  
Eric Muncert 1046 Luzerne Street

President Pile asked for approval of the July 16, 2001 minutes and the August 7, 2001 Committee Notes. A motion was made by Mr. Krupa to accept the Minutes and Notes as presented. Seconded by Mr. Strittmatter. All in favor, motion carried. Mr. Rovanseck, absent.

Next on the agenda President Pile called upon visitor Fred Pullen who was in attendance to remind Council that the property at 1070 Luzerne Street is still in the shambles it was several years ago. The owner of the property, Mr. George Haidar, under direction of the Southmont Zoning Hearing Board, was given until September 1, 2001 to make the the necessary corrections to the property, according to Mr. Pullen. Mr. Muncert asked Council for some immediate action on this problem. Solicitor Lovette will speak to Zoning Solicitor Kiniry about the course of action to be taken when the deadline expires. Council feels that it is time to resolve this problem and take the necessary action for the violations on this property. Solicitor Lovette will call Mr. Pullen to inform him of the outcome.

Mike Bukowski who represents Magerko & Associates attended tonight's meeting to discuss a proposal he submitted to Council. Mr. Bukowski is interested in purchasing property known as the Wren Street property. At last month's meeting Council received no bids for the property after it was advertised. Residents of the Wren Street property were concerned about several issues, such as, cutting the trees and water run-off problems. It was Council's decision to inform the residents if any further talks begin. Mr. Bukowski stated that he is ready to make a proposal to the Borough for the property contingent on three items, 1.) that the street connected to the property be abandoned, 2.) that the subdivision and development receive all necessary approvals, and 3.) that this tract along with the adjoining tract already owned by Magerko & Associates be merged.



At this time Solicitor Lovette informed Mr. Bukowski that Council would not act on any contingency plans and that Mr. Bukowski should be directing his concerns to the Zoning Hearing Board after he purchases the property. Council does not make Zoning decisions. The property need to be advertised again. The area is zoned as a residential area. Mr. Bukowski stated that he is proposing to build 5-7 townhouses on the property, and to renovate the existing properties with approximately \$500,000.00 in construction. There would be no strip cutting of trees, and most of the property would stay intact. A retention pond would be installed for the water run-off, in fact, Mr. Bukowski stated that it would reduce the water run-off from the property. Mr. Kory suggested that the information be further discussed at a Committee meeting. The Borough would have to re-advertise the property and either accept or refuse the highest bidder. It was the consensus of Council that Mr. Bukowski attend a Public Meeting with the concerned residents and proceed from there. Council will advertise a Special meeting for September 4, 2001 at 7:00 p.m. to inform the residents of the proposal. Mr. Bukowski will bring a plan or drawing to the meeting and make a presentation.

#### **POLICE CHIEF'S REPORT**

Chief Havas's written report records the revenues for the month of July at \$375.18. Chief Havas reported that West Hills Police have made an arrest in the case of burglary/theft mainly in Lower Yoder and Brownstown. He believes this is the person responsible for the many robberies in our area and the surrounding municipalities. Chief Havas reported that the Police Commission would meet at Southmont on Tuesday, August 21, 2001. No further report.

#### **ZONING OFFICERS REPORT**

In the absence of Mr. Orms, Zoning Administrator, Council reviewed the July report submitted to Council. The year to date construction total is \$605,139.00. (Corrected figure)

Mr. Orms had previously requested that Council consider amending the Zoning Ordinance in reference to extending the maximum fence height from 5' to 6'. After discussion, Mr. Danyluk made a motion to amend the Zoning Ordinance 359, changing the maximum fence height to 6'. Motion seconded by Mr. Kory. All in favor, motion carried. Mr. Rovanseck, absent.

#### **FIRE COMPANY REPORT**

Chief Borosky's written report records 14 activities for the month of July. Chief Borosky reported on an accident involving a fireman. Tom Kovack tripped and fell while unloading tents from a truck. He received a fractured wrist. The Fire Department was involved in a medical assist. Hilltop Ambulance called the Fire Department rather than their backup ambulance service. Chief Borosky wants to be on record as stating that the Fire Department does not wish to assist on ambulance runs. Chief Borosky submitted four quotes on a 2001 pickup truck with a crew cab. The Fire Department requests approval to purchase this pickup truck to use when setting up tents and other Fire Company functions, rather than using the Rescue Truck.



Monies from the Fire Company's savings account and \$5,000.00 from the General Budget fire protection account number 411.70 will be used as down payment. The Fire Company is eligible for a 3% loan for the balance. The low bid was \$30,552.00. After discussion, a motion was made by Mr. Danyluk to approve the purchase of the 2001 crew cab pickup truck, and accept the maintenance cost on the vehicle. Seconded by Mr. Rodgers. Roll call: Mr. Rodgers, Mr. Kory, Mr. Danyluk, Mr. Strittmatter, Mr. Krupa, and Mr. Pile, all in favor, opposed none. Mr. Rovanseck, absent.

Chief Borosky met with the State Firefighter Association in reference to consolidation of services within the hilltop area. The departments are duplicating services and/or paper work. They are working for a way to consolidate this paper work or services since there is a shortage in volunteer fire personnel. Mr. Borosky felt a few Council members should attend the next meeting for their input. Council agreed to have someone from the Administration Committee attend.

There are seventeen members of the Southmont Vol. Fire Department that are recognized on the Active Member roster. The seventeen members are certified at the hazardous materials first responder-awareness level in accordance with the Federal EPA regulation# 40CFR311. The Hilltop Ambulance report was received and is on file.

### ENGINEER'S REPORT

Mr. David Duray of Paul C. Rizzo Associates reported that the 2001 Street Paving program has been completed and Mr. Duray is submitting Change Order No. 3 for the materials used on the Helen Street/Mabel Street intersection in the amount of \$733.50. The total amount of the 2001 street paving project is \$77,135.34. A motion was made by Mr. Rodgers to approve Change order #3. Seconded by Mr. Danyluk. All in favor, motion carried. Mr. Rovanseck absent. A motion was made by Mr. Rodgers to approve the final street paving cost of \$77,135.34. Seconded by Mr. Krupa. All in favor, motion carried. Mr. Rovanseck absent.

Mr. Duray reported that the data received on the flow meter is good, however we haven't had much rain. Mr. Duray will provide a chart of the meter results at the next Committee meeting.

Mr. Duray has proposed re-wording some of the paragraphs of the latest Upper Yoder Sewer Authority Agreement for the sewer rental fees. These items will also be discussed at the Committee meeting scheduled for August 28, 2001 at 7:00 p.m. Solicitor Lovette would like to arrange a meeting with Westmont, Upper Yoder and Southmont Solicitor's and Engineers, to finalize this agreement.

### COMMITTEE REPORTS

#### STREET COMMISSIONERS REPORT

In Mr. Bosley's absence, Mr. David Weir submitted the written report recording that employees cleaned catch basins and picked up limbs after storms. Employees are continuing to rebuild catch basins. Placed milled materials on unpaved section of Celest Drive. Trimmed trees throughout the Borough. Began doing the curb cuts. There are approximately 20-25 cuts to be made. A manhole in Carrot Alley was raised to meet the grade.



cont'd

A new offset pipe was replaced at the ballfield and one on Shady Lane. Checked sewer problems on Leek and Myrtle Alley off Wonder Street. Tree roots were the problems. Located a sanitary sewer manhole for Mr. Chiodo , he is planning to build off Susan Drive near Menoher Highway. Making survey of signs needs throughout the Borough. Some of the signs are faded and need replaced. Mr. Bosley is waiting for ~~painting bids~~ for the painting of the Borough Building and outside garage. It was Council's consensus to accept the lowest bid and this must be reviewed with the Building Committee before it is accepted.

Mr. Bosley attended the meeting with Upper Yoder and PennDot on the proposed installation of a traffic light at Harshberger Rd. and Goucher Street. There will be a left turn only lane for all four streets. Sunray Drive will be realigned. Council discussed sending a letter to PennDot requesting that sidewalks be added to the intersection of Harshberger and Goucher above Violet Street. This project is scheduled to bid in January 2003.

Mr. Danyluk had questions on two Roto-Rooter invoices. Both were tree roots and sewage leaking into the ground. He also questioned the amount and cost of weed killing materials.

STREET COMMITTEE

There was nothing further to report. Mayor Koval asked Mr. Danyluk to look at the sidewalk on the Diamond Blvd. side of Clark's Corner Store. It is spalling and needs repaired.

ADMINISTRATION/PERSONNEL COMMITTEE

Nothing at this time.

POLICE COMMISSION

Mayor Koval reported that a Police Commission meeting will be held August 21, 2001 at Southmont Borough.

RECYCLING COMMITTEE

Report submitted.

INSURANCE COMMITTEE

Mr. Kory reported the Worker's Compensation policy was renewed. Mr. Kory spoke with the H.A. Thomson representative Pat Travisar who recommended that the Fire Department have a safety training workshop meeting to be presented by H.A. Thomson. Due to the many accidents that have happened in the Department over the past 2 years, a safety training meeting has been scheduled for September 7, 2001. Borough employees will continue with the monthly safety meetings. Mr. Kory asked that Council remind the Fire Department to be careful not to let the minor volunteer personnel engage in fund raising activities. The department is reminded that the minor volunteer may not be eligible for Worker Comp. benefits.

### BUDGET COMMITTEE

Mr. Rodgers reviewed the Budget. The 2000 Annual Audit of Borough accounts has been received. Committees should begin preparing their budget requests.

### SHADE TREE

Mr. Krupa has been in contact with the resident on Gardner Street,( Kowtoniuk) who had removed several trees. He has been notified that he was in violations for removing trees without a permit. He has replaced the trees.

Mr. Krupa asked Solicitor Lovette about exchange of services, such as stump removal done in exchange for milled material. An estimated fair market value less than \$1000.00 is allowed. Council would determine the fair market value of the "personal property" to be exchanged. It must be done by Resolution for each item, and you do not have to advertise.

Area residents were notified of overhanging trees on Wonder Street. Both residents have responded. Mr. Kriak has retained Yoder Tree Service to remove the unstable trees overhanging onto Wonder Street.

Mr. Krupa made a motion to appoint Fran and Judy Kelly to the Shade Tree Advisory Board, for a term to expire in 2005. Motion seconded by Mr. Kory. All in favor, motion carried. Mr. Rovansek, absent.

Mr. Krupa will advertise a Shade Tree meeting for September 11, 2001, to discuss removal,planting of trees nd the annual tree inventory.

### RECREATION/PLAYGROUND COMMITTEE

President Pile reported on the Annual Picnic to be held on August 22, 2001. Nothing further to report.

### BUILDINGS and GROUNDS

Mr. Kory met with Big City Signs in reference to the proposed new signs. The new signs will be approximately \$200.00 each. Mr. Kory will submit a final design drawing. It was the consensus of Council to proceed with the blue and gold color scheme.

### C.O.G REPORT

The crack sealing demonstration was canceled and will be rescheduled. Mr. Bosley will send a letter to the Council of Governments offering to house the crack sealing machine if COG should purchase the machine.

### CHAPIN ARCH

The Borough is still waiting for the deed from PennDot, before it conveys the Arch to the Conservancy Group.



### MAYOR'S REPORT

Mayor Koval reported on a residents request's for a stop sign at the corner of Olive and Orchard Street. Mayor Koval reported that this request was not feasible due to the winter in our area. Letters continued to be sent to residents who need to trim or cut high grass or weeds overhanging into the street

### SOLICITOR 'S REPORT

Solicitor Lovette will check on the notice for the outstanding taxes from January to May when the holding pond property was declared exempt. The holding pond was turned over and recorded to the Borough by Mr. Chiodo in May of 2000. Unpaid taxes were from January to May 2000, after May the property was exempt.

### SECRETARY'S REPORT

The Secretary's report records that the County will be sending their old tax maps to all Municipalities. If any new maps are needed they can be ordered for \$5.00 per page. A motion was made by Mr. Rodgers to approve the purchase of new maps. Seconded by Mr. Kory. All in favor, motion carried. Mr. Rovansek, absent. A motion was made by Mr. Rodgers to approve the Auditors attending the Auditor's Training workshop in Somerset. Seconded by Mr. Kory. All in favor, motion carried. Mr. Rovansek, absent.

Mrs. Czynnik had a request for several more keys for the Wonder St. athletic Restroom/Storage Shed. The soccer groups wish to have a key for each coach. Council discussed the issue and did not approve any additional keys. Two key's have been given out for this years soccer groups. Mr. Ernie Petersen has one key and Karla Good has the second key. Solicitor Lovette has prepared an agreement for the "key holders" to sign. A motion was made by Mr. Rodgers to accept the Secretary's report. Seconded by Mr. Kory. All in favor, motion carried. Mr. Rovansek, absent.

### TREASURER'S REPORT

A motion was made by Mr. Rodgers to accept the July Treasurer's Report, as presented, in the amount of \$323,116.78. Seconded by Mr. Kory. All in favor, motion carried. Mr. Rovansek, absent.

### TAX COLLECTOR'S REPORT

Mr. Rodgers made a motion to note that Southmont received the June Tax Collector's Report, with Real Estate Collections at \$4,826.36. Seconded by Mr. Kory. All in favor, motion carried.

### PAYMENT OF BILLS

After discussion, a motion was made by Mr. Rodgers to approve payment of the bills, for a total amount of \$ 27,452.77. Seconded by Mr. Krupa. Roll Call: Mr. Rodgers, Mr. Kory, Mr. Strittmatter, Mr. Krupa, Mr. Danyluk and Mr. Pile. All in favor, opposed none. Mr. Rovansek, absent.

**OLD BUSINESS**

President Pile asked for review of items on the "Tickler List". Items were reviewed, removed or relisted. Some new items will be added.

**NEW BUSINESS**

Mr. Rodgers made a motion to approve Councilmembers, St. Commissioner or Secretary to attend to attend the PSAB Fall Conference in York on October 24 thru October 28. Seconded by Mr. Rodgers. All in favor, motion carried. Mr. Rovansek, absent.

A letter will be sent to Mr. Felix who asked that the Borough landscape the unaccepted alley ( Squash). Southmont Borough has never landscaped alleys or properties.

There being no further business Mr. Rodgers made a motion to adjourn the July 16, 2001 meeting of Council. All in favor.  
Meeting adjourned at 9:10 p.m.

Respectfully submitted,

Judith A. Czyrnik,  
Borough Secretary