

MINUTES  
BOROUGH OF SOUTHMONT  
June 19, 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 June meeting of Council convened.

PRESENT: Mr. Glass, Mr. Pile, Mr. Leventry, Mr. Rodgers, Mr. Danyluk, 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 Czynnik, Zoning Officer: Fred Pullen, Fire Co: Michael Butler

ABSENT: Street Commissioner: Jan Bosley

VISITORS:

Janice Hanzel-Observer	Shirley Chaney-Weeds
George Hanzel-Observer	Ray Asfar-Alley vacation
Chuck Getty-Signs	Steve George-Alley Vacation
Julie Sythe-Recreation	

At this time President Glass asked for approval of the May 15, 1995 regular Council meeting minutes. Mr. Pile made a motion to accept the minutes of the April 17, 1995 meeting of Council. Motion seconded by Mr. Krupa. All in favor, motion carried.

BID OPENINGS-Mr. Leventry made a motion for approval to open the bids for the 1995 Street Paving. Seconded by Mr. Rodgers. All in favor.

There were two bids for the 1995 Street Paving, as follows:

#1 Quaker Sales	
Cooper Ave.	
Johnstown, PA 15906	\$97,783.40
#2 Derry Construction	
Latrobe, PA 15650-9624	\$97,458.90

Council discussed, at great length, the fact that the bids were both higher than the Engineer's estimated costs. Council would have the option of accepting the low bid or rebidding the paving project. and possibly eliminating some of the paving schedule. After discussion, Council decided that Mr. Walker should review the bids and give Council his opinion on the cost figures. Mr. Walker left the Council room to review the bids.

President Glass moved on with visitors Mr. Ray Asfar and Mr. Steve George. Mr. George (Mr. Asfars son-in-law) submitted to Council a drawing of the Asfar property at 297 Southmont Blvd. Mr. George is requesting that the Borough vacate Kelly Street and Custer Street adjacent to the Asfar property. Mr. George would like to build a house on the property. Mr. Asfars property is irregularly shaped and if the Borough would approve the requested vacation he would be able to bring the property into a regular shaped plot, thereby allowing the possibility of building a house on the additional acquired land. Mr. Glass explained to Mr. George that he would need to get a petition signed by the adjacent property owner to assume the ownership. The area would need surveyed showing the divided street and the amounts of additional land each property would acquire. President Glass allowed Council time to review the requested vacation and further explained that if Mr. George wanted to work out an agreement with his neighbor to buy the newly acquired land that they would be dividing would be up to him. President Glass will send information to Mr. George on the procedures to be followed before the Borough can vacate the property. Solicitor Lovette suggested that they retain an attorney to do the paper work they will need. A title search will be in order for any financing. Mr. George and Mr. Asfar will have the property surveyed and get a description of the property to submit to Council. After the vacation the new property descriptions will have sent to the county accessor.

Mrs. Chaney would like some one to explain to her about the weeds overhanging into Pepper Alley from her property. She said the overhanging weeds are honeysuckle bushes. She feels they are not her "bushes". Mayor Morgan will look at the area and decide whose responsibility it is to cut the weeds.

Mr. Getty just wanted to check on when the signs will be put up near the playground. President Glass informed Mr. Getty that signs have been ordered by Mr. Bosley and they will in later this week. Mr. Getty will make himself available to Mr. Bosley and Mr. Koval for placement of these signs. He is suggesting several signs be placed near the curve and at the edge of the playground. He is also concerned about the speed in the area. President Glass asked for additional coverage in the area for a while. There also seems to be a problem of cars parking in the alley. Possibly signs will need posted. Dr. Hanzel informed Council that people are making "U" turns on Diamond. When the paving is done Council will review the traffic and parking problems.

#### POLICE CHIEF'S REPORT

Chief Havas reported that 5 Officers participated in a training course at Lower Yoder Township, sponsored by the FBI. No major problems at the Jubilee, parking was the only problem. The Department worked with the City Police Department on breaking up a motorcycle/bicycle ring. Several bicycles and a motorcycle were stolen in the hilltop area recently and with the help of the two departments several juveniles were arrested.



Chief Havas briefed Council on the rape incident in Westmont. Residents throughout the Johnstown area have provided the department with helpful information and all information is being followed up by the Department, FBI, State Police and the City Police. Information is being reviewed and the similarity in other cases are being investigated. Chief Havas wants the investigation done professionally and accurately, many hours are being spent to solve this crime. Chief Havas asked residents to be cautious.

Mr. Walker returned after reviewing the bid sheets and noted that there is a price increase in about 8% to 17% on the wearing course over last years pricing and approximately 6 to 8% increase on the leveling costs. Also there is about 200' additional paving on Orchard Street to Gardner Street that was not in the Engineer's initial cost estimates. After further discussion by Council, Mr. Danyluk made a motion to accept the low bid of Derry Construction in the amount of \$97,458.70, subject to further review of the Engineers and Solicitor. Seconded by Mr. Rodgers. Roll Call: Mr. Rodgers, Mr. Danyluk, Mr. Krupa, Mr. Kory, Mr. Leventry, Mr. Pile, and Mr. Glass, all in favor, opposed none. Motion carried. Council felt rebidding would be more costly.

#### HILLTOP AMBULANCE REPORT

Mr. Dailey submitted minutes and the Treasurers report to the Secretary. Mr. Dailey reported that the Ambulance Association will begin their fund raising efforts in August for the purchase of a new ambulance. Hilltop and West End Ambulance Associations met to discuss a possible merger as suggested by the Westmont Borough Council. They will meet again.

#### ZONING OFFICERS REPORT:

Written report records, 6 permit issued for this month, with an estimated construction cost of \$22,600. Mr. Pullen has followed up on the BOCA code violation notices to Mr. John Klanchar and Mr. John Hearn. Mr. Pullen feels he has no alternative but to turn these over to a Magistrate. General property maintenance has not been done at the Klanchar property and at the Hearn property an unfinished siding project has not been completed along with several unlicensed parked vehicles. Council agrees with Mr. Pullen to turn these violations over to the Magistrate. There is the possibility of two more houses being built in Southmont, one on Palliser Street at the Crawford property and one on the Glosser property on Gardner street. A request by Mr. Brian Allison of State Street questioning procedures on excavating and filling in the foundation of 114 State Street. He also would like to terrace and level both 114 and 124 State Street. He does not need a permit for that, however he will need a permit for a driveway. Mr. Glass will answer his letter.



### ENGINEER'S REPORT

Mr. Walker has submitted to Council the corrected Borough maps for review. A cost estimate for sanitary sewer repairs on Otis Street from Bluff to Southmont Blvd. was prepared using the "joint grout" method vs. digging and replacing pipe sections. These estimates are for the DER Corrective Action plan. Alternative No. 1, work includes pressure testing and pressure grouting approximately 425 l.f. of 8" sanitary sewer. Cost approximately \$6000. Alternative No. 2 is for complete reconstruction of the 425 feet of sanitary lines, including pavement and curb restoration, for a cost of \$50,000. A motion by Mr. Danyluk to accept the grouting method in the amount of approximately \$6,000., and authorize the Engineer to proceed for telephone bids. Seconded by Mr. Leventry. All in favor, motion carried. (telephone or fax bids allowed if under \$10,000.)

Mr. Walker has proceeded, as directed by the Street Committee, with the preliminary plan for Phase I of Leon Street where the open run-off ditch would be covered due to the erosion of the Street. Leon Street would have been paved this year but the Committee felt the open run-off ditch should be reviewed before paving. Plans are for construction from State to Artichoke Alley on Leon Street. The preliminary plan is for laying pipe and installation of a storm sewer. Easements would be necessary. Mr. Walker submitted the drawing to Mr. Leventry for the Street Committee to review.

### FIRE COMPANY REPORT

Mr. Butler written report records the runs and responses for May. One member attended a fire school on operation at Residential Fires. A calendar of events has also been submitted to Council for the month of July. All parades on the schedule will not be attended by the Fire Company. Fire Chief Butler reported that personnel met with the Water Authority for general information. The Fire Company wants the Authority to schedule hydrant testing thorough out the area for safety reasons.

The Jubilee did not have good weather this year, it rained some part of each day during the Jubilee. The figures are down about 26% of last year, which was an exceptional year. The final bills have not been paid to date, Mr. Butler feels the profit for this year will be between \$5,000 and \$7,000. Chief Butler thanked the residents for their support and a special thanks to the Borough and employees and the Recreation Commission.

### COMMITTEES REPORTS

#### STREET COMMISSIONER'S REPORT

In Mr. Bosley's absence the written report records that debris and gravel were picked up, catch basins were cleaned after storms. Cut grass at Borough properties. Mulched around new trees at Borough Building, seeded lawn after new retaining wall construction. Excavated at Playground site, hauled dirt and spread gravel and mulch inside the play area.



Some streets were crack sealed earlier in the month. Began putting milled material in low areas and holes in the unpaved alleys. Continued with smoke testing and Corrective Action inspections.

As per a safety inspection by a Borough Worker's Compensation representative, a cabinet for storing spray paints and aerosol lubricants has been purchased. And as recommended 3 safety type gasoline cans have been ordered. Crosswalks have been painted on Olive and Diamond Blvd. for the new Playground. New signs are ordered and will be installed as soon as they are received.

#### STREET COMMITTEE

No further report.

#### ADMINISTRATION & PERSONNEL COMMITTEE

Mr. Leventry made a motion offering a resolution that prohibits the use of the Borough Building for any activities other than Borough business, no social events or informal gatherings will be allowed. Seconded by Mr. Danyluk. All in favor, motion carried. This action comes as a result of an incident and was discussed at in pre-Executive Session, prior to this evening's meeting.

Mr. Leventry also noted that he has received 4 quotes on the replacement windows for the office, hallway and Fire Department. Mr. Leventry might like to consider commercial (aluminum) window rather than vinyl windows. The costs might be 20% to 30% more but they would last longer. Mr. Leventry set a meeting to discuss the sidewalk inspection program for Wednesday, June 21, 1995 at 7:00 p.m. The Personnel Committee will meet at a later time to discuss the proposed employee evaluation forms, as previously recommended by Council.

It was the decision of the Adms. & Personnel Committee, after meeting with Mr. Bosley, to non schedule Dave Weir for two weeks due to his health problems. It was their recommendation to Mr. Weir to get his health problems under control. Mr. Weir's health problem is affecting his work schedule and it was their recommendation to Mr. Weir to get his health problems under control and take additional time if necessary. Mr. Leventry remarked that Mr. Weir is knowledgeable in his job and we would like to keep him.

#### RECYCLING COMMITTEE

Mr. Danyluk discussed a meeting that will be held June 27, 1995 at the Richland Twp. Municipal Bldg. in reference to a workshop on the newspaper recycling program being developed by PAPER Inc. The Recycling Grant disbursement for our reimbursement on the completion of the recycling center has been forwarded. As requested by Mr. Danyluk a line item number has been given to the credit received from Koontz Disposal for the volume of recycled materials. The new item number is #427.30a and adjustments have been made to reflect the total amount of credit received.

POLICE COMMISSION/COMMITTEE

Mr. Pile reported the Commission is looking into the 'computer system within the next month or so. The Department and Commission is running very smoothly.

INSURANCE COMMITTEE

Mr. Kory reviewed the PIRMA Worker's Compensation renewal for 95/96. There will be an increase of \$1,172.00 in the payment, due to the salary and employees rates. Mr. Kory felt the increase was not out of line. The prior workers compensation carrier, Selective Insurance has requested a utilization review from the Department of Labor and Industry, for Jim Carbaugh on his back injury accident of January 31,1994.

BUDGET COMMITTEE

Mr. Rodgers is monitoring the Budget, adjustment will be made when necessary

SHADE TREE

Mr. Krupa reported on the tent worm spraying done this past month. Mr. Krupa inspected a tree on Menoher Blvd. for a resident. The tree is on private property and is the homeowners responsibility. No permit is needed. Mayor Morgan mentioned a tree along the park that should be replaced.

RECREATION/PLAYGROUND COMMITTEE

Mr. Pile reviewed the Recreation Commission minutes submitted to Council. Advertising space will be sold at the Grove. Mr. Pile reported that the summer programs have started at the Playground sites. Ms. Sythe explained that the activities have begun at the sites, a two day training period was given to the summer playground instructors. There are two site instructors at the Diamond Playground. Lists of the scheduled activities are available at the Playground. There is a full six weeks of lessons and activities planned. The hours are 9 a.m. to noon and 1 to 4 p.m., for ages 6 to 14. Instructors have been instructed on documenting items such as, strangers milling around a playground site, safety measures, precautionary measures and documentation of behavior management of the children attending the playground site. Mr. Getty asked if letters will be sent to the parents. Ms. Sythe indicated that they will notified. Mr. Rodgers asked for reports at a later time. Mark Ford reviewed all of the equipment for maintenance and discussed the safety measurers. The Recreation Commission's maintenance employees will document the equipment inspections. Mr. Koval updated the progress on the water fountain, drains, and the shelter. Mr. Koval thanked the Borough employees for their extra help. A letter has been written to JMF Recreation for the excavation work that was quoted, but was never completed by JMF.



The Borough had to complete the work JMF quoted by alternative means and the proper deductions were made to provide this completion of the project. Lichtenfels Nursery was contacted to complete the excavation and leveling and to do the seeding.

Mr. Rodgers made mention that the Playground Committee should be commended for their outstanding performance in completing this project. The Recreation Commission and all the volunteer help is to be commended.

#### CABLE TV COMMITTEE

Mr. Rodgers reported that the Cable TV Steering Committee will be meeting Thursday and Friday of this week with the Time Warner and the COG Consultant. The paper work and negotiations are about 98% completed. Mr. Rodgers feels we will know within the next 10 days about the franchise. Mayor Morgan stated that the Ordinance is essentially completed. The Ordinance will apply to any provider in the event another provider is available. The Committee is ready to ask the Municipalities Municipal Solicitor's to review the Ordinance. It consists of approximately 150 pages. The actual franchise will be with Time Warner.

#### CHAPIN ARCH COMMITTEE

Mr. Kory spoke with Penn Dot representative Barry Clancy and nothing new to report.

#### C.O.G REPORT

Mr. Danyluk did not attend last months COG meeting, however, the minutes submitted report that the City of Johnstown is making preparations for purchasing the sewer cleaning equipment from A & H Equipment. They have received a grant of \$112,000 for the equipment. Their current piece of equipment will be made available to area municipalities for the same lease rates until the new machine being purchased thru COG arrives. Mr. Danyluk mentioned the Clean Ways Adopt a Highway membership fee of \$15.00 per year, if any one is interested. Mr. Danyluk mentioned a new program, drug and alcohol testing for public employees. This testing is required for individuals who have a CDL license and will expand to all federal, state and local agencies. Testing can be done unannounced.

#### MAYOR'S REPORT

Mayor Morgan only reported that a letter had been sent to Mr. Merlo to trim hedges back from the sidewalk and a response has been received from Attorney Kalinyak. Mr. Merlo will trim the hedge back. Mayor Morgan will look at Pepper Alley with Mrs. Cheney, to determine who is responsible for trimming the "shrub" overhanging the alley.

### SOLICITOR'S REPORT

Solicitor Lovette received a complaint from Attorney Horner naming Southmont Borough as defendant in a suit for damages by Mr. Karl Kenney. Mr. Kenney is claiming that the Borough installed curbing and a catch basin on his property. After research Attorney Lovette found that this work was done in 1978 and it is out of the statute of limitation. Attorney Lovette has given Mr. Kenney the option to discontinue. Thirty days has lapsed since then and a new complaint would need to be filed.

Solicitor Lovette discussed the correction of the map and description of Okra Alley. Copies have been sent to all residents concerned and County Assessment office. Solicitor Lovette spoke with both attorneys in reference to M & T Associates for the discussion of a possible sale of the property concerning Mr. Ray Hartnett. Nothing new to report

### SECRETARY'S REPORT

Mrs. Czyrnik's written report records the 1994 audit has been received and all appears to be in order. Mr. Tom Lewis and Michael Constantino submitted a quote to update and made recommendations to provide a more efficient computer system. Mr. Danyluk asked that we get several more quotes, before making a decision. Mr. Kory make a motion for renewal of the Community Map Company for a updated community map, motion seconded by Mr. Krupa. All in favor. A motion by Mr. Pile and seconded by Mr. Leventry to approve Mr. Pullen, Mr. Kory, Mr. Krupa, Mr. Bosley and Mrs. Czyrnik to attend the PSAB Annual Convention, June 25 thru 28, 1995.

### TREASURER'S REPORT

Mrs. Czyrnik's written report records a final balance of \$220,054.56 in the General Fund for May 1995. Approved by Mr. Kory, seconded by Mr. Leventry.

### TAX COLLECTOR

Mr. Quinn's written report records \$163,814.73 collections for May Real Estate, and \$3,621.00 collections for Per Capita. Total collections of \$167,435.73. Mr. Pile made a motion to accept the Tax Collector's report, seconded by Mr. Rodgers. All in favor.

### APPROVAL TO PAY THE BILLS

A motion by Mr. Rodgers to pay the bills in the amount of \$29,749.30 and to add the \$640.00 balance for a total of \$30,389.30. Seconded by Mr. Pile. Roll call vote; Mr. Rodgers, Mr. Danyluk, Mr. Krupa, Mr. Kory, Mr. Leventry, Mr. Pile, and Mr. Glass, all in favor, opposed none. Motion carried.



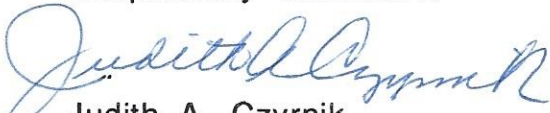
UNFINISHED BUSINESS

Approved Mrs. Czyrnik and Mr. Kory to attend a Municipal Insurance training program July 12, 1994 in Greensburg, by Mr. Pile and Mr. Kory. President Glass reviewed a letter with Council that he responded to in reference to site inspection of the Playground. An inspection was done by the Cambria County Conservation District due to the earthmoving activities at the Diamond Playground site. Mr. Glass felt it was unfair for the inspection to be made when no representative of Council or the Playground Committee was with the inspector. Since the inspection all concerns have been corrected and Mr. Glass asked that Southmont Borough be notified before another inspection is done.

NEW BUSINESS

None

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



Judith A. Czyrnik,  
Borough Secretary

