

MINUTES
BOROUGH OF SOUTHMONT
January 15, 1996 7:30 p.m.

The regularly scheduled January Council meeting was called to order by President Pile at 7:30 p.m.. After the pledge to the flag, the January 15, 1996 meeting of Council convened.

PRESENT: Mr. Pile, Mr. Rodgers, Mr. Danyluk, Mr. Leventry, Mr. Kory, Mr. Krupa, Mr. Davis, Mayor Robert Morgan, Solicitor: Daniel R. Lovette, Engineer: Ron Walker, Secretary: Judith Czyrnik, West Hills Police: Chief Andy Havas
Zoning Officer: Fred Pullen (8:25 p.m.), Street Commissioner: Jan Bosley, Fire Chief-Mike Butler.

ABSENT: None

VISITORS: Mr. William Leckey 30 Harding Street

At this time President Pile asked for approval of the December 18, 1995 regular Council meeting minutes and the January 2, 1996 Re-Organization meeting. Mr. Kory and Mr. Rodgers asked that a correction be made to the January 2, 1996 Re-Organization Meeting minutes. Mr. Danyluk and Mr. Rodgers asked that changes be made to the December 18th minutes for clarification. After discussion, Mr. Rodgers made a motion to approve the December 18, 1995 meeting minutes as corrected, seconded by Mr. Kory. All in favor, motion carried. Mr. Rodgers made a motion to approve the January 2, 1996 Re-Organization meeting minutes be approved, as corrected. Seconded by Mr. Krupa. All in favor, motion carried.

At this time President Pile called on Mr. William Leckey who came to Council in reference to the Business/Mercantile Tax forms he has received from PA Municipal Service. Mr. Leckey had approached the Borough Secretary on this matter. After discussion, Mr. Leckey decided to come before Council, to determine if he was subject to the Business/Mercantile tax. Mr. Leckey stated that he was offered a job cleaning a business establishment outside the Southmont Borough area, he is self-employed and does not run a business out of his home. He receives a monthly check for his janitorial services, and he does file a self-employed schedule C tax return. President Pile explained that even though Mr. Leckey does not perform the services in the Borough, his house is technically his office. While he has no contact with the establishments that he cleans he does have agreements with these establishments. Solicitor Lovette read Ordinance's # 342 and #343 and totally agrees with President Pile, Mr. Leckey is liable for the Business Tax only, according to the Ordinances.

Solicitor Lovette continued by telling Mr. Leckey that it is the Treasurer's job to report any businesses to the Tax Collector. Mr. Rodgers asked where Mr. Leckey should file his complaint. If Mr. Leckey wants to pursue this further, Solicitor Lovette suggested he could go thru the Court of Common Pleas or perhaps District Justice John Barron's office.

POLICE CHIEF'S REPORT

Chief Havas's written report records there was a total of 414 calls for service in Southmont, Westmont and Brownstown during the month. There were 5,823 call for the year. Revenues for December were not received before Council meeting. Chief Havas reported that the yearly report will be submitted by the next meeting of Council. At the request of Borough Zoning Officer Chief Havas has instructed his officers to inform the Borough Secretary about any new construction they might see during their patrols. West Hills Police worked with the Street Department in removing vehicles from roadways for snow removal. Chief Havas reminded businesses to keep the snow pile levels down so traffic can see around the snow at intersections and driveways. Chief Havas does have the power to remove vehicles in such conditions, under the PA Motor Vehicle Code. The Police Commission minutes were reviewed and the question was asked if Brownstown has approved coming into the WHRP when their present contract expires. They are in the final year of their contract, as is Southmont and Brownstown has not made any changes that the Commission is aware of. Mr. Pile is recommending that the 1997 negotiations begin soon. Mr. Davis asked about the WHRP Secretary's benefits as outlined in the WHRP minutes. Mr. Danyluk informed Council that the Police Commission met on Wednesday, January 10, 1996 and recommendations for the WHRP Secretary job description, benefits and pay range will be addressed at the January 16, 1996 Police Commission meeting. Mr. Davis asked if the 1995 budget carry over will allow for adjustments in the 1996 budget. Mr. Pile stated it would and these will be done at the meeting.

The Zoning Officer's report was moved on the Agenda.

FIRE COMPANY REPORT

Chief Butler's written report records the Fire Company's monthly, yearly and purchases report for 1995. Mr. Butler reported they have not heard from Mr. Chiodo on the proposed addition to the Fire Department. The lower siren is not back from repair and the new alarm box has not been shipped. Mr. Butler asked that meetings not be scheduled in the Borough Building on Thursday nights as that is the night which the Fire Company uses for training inside the building during the winter months. The Secretary was not aware of that and will not schedule Thursday nights. Fire Officers remain the same for 1996.

ENGINEER'S REPORT

Mr. Walker had nothing to report other than that the new map was delivered. However, due to the additional work load caused by the weather, it has not been installed. Mr. Walker reviewed the DER/DEP inspection report for the 1995 Annual Maintenance of the Cheney Run Flood Project. After review of the report, Mr. Bosley noted that the monitoring of the cracks and joints will continue, weed and rocks removal is part of the Borough maintenance. Repairs have been made to the chain link fence upstream of the culvert. Mr. Bosley does keep a daily diary of the work performed in the Cheney Run.

COMMITTEES REPORTS

STREET COMMISSIONER'S REPORT

Mr. Bosley's written report records that routine maintenance work was performed on vehicles and equipment. Prepared the main building roof for Contractor to work on the re-roofing. They have continued to pick up leaves when weather permitted, picked up branches after storms, plowed and salted streets during the month. Old reusable sign posts have been scraped and re-painted. Chains were installed on the lawn tractor for snow removal around the building, fire department and parking areas. A second transmission was installed in the 1993 truck and appears to be working fine. Both are warranty re-placements. We are using the back-hoe for snow removal, chains have been installed. Zucco has been called in to help with snow removal from the January 5th storm and the second storm expected January 11th and 12th. President Pile questioned the condition of the leaf machines. Machines are approximately 30 years old. One machine had a rebuilt engine installed recently. Mr. Bosley felt money could be budgeted for a self contained leaf machine, as the two machine will need major work within the next few years.

STREET COMMITTEE

No report

ADMINISTRATION & PERSONNEL COMMITTEE

Mr. Rodgers reported that the Committee has been working on Job Descriptions and Evaluation forms. After they are completed the Committee will meet to do the evaluations of the employees and set the 1996 wages. After discussion the Committee meeting will be on Wednesday, January 17, 1996. After the meeting the recommendation will be brought back to Council. All Council Members are welcome. At the same time, the Committee will review the AFSCME proposal to "give back" a fee since there has been a decrease in proposed 1996 benefit package for eye, prescriptions, and dental insurance. The decrease is in the amount of \$24.40 per person per month for a total of \$97.64 each month. Mr. Rodgers reported that the Committee will look at a quote received for new Blue Cross plan. Copies of a Select Blue plan will be distributed for review.

RECYCLING COMMITTEE

Mr. Danyluk reviewed the Recycling Chart with Council members. Mr. Danyluk feels that when we start recycling newspapers the cost avoidance will reflect a much higher amount. We will have to negotiate with Koontz Disposal when the time comes. The plans are to haul the newspapers ourselves rather than contract, at this time. The program will hopefully begin in March, weather permitting. There are no plans to invite outside residents to use this service, at this time.

INSURANCE COMMITTEE

No report. A meeting will be schedule for next month to review the insurance policies for 1996.

BUDGET COMMITTEE

Mr. Rodgers reported that transfers have been made to balance the accounts for 1995. The final transfer amount was \$75,131.00. Several big items were purchased in 1995, such as calcium chloride equipment, a larger truck, building air conditioning, and the high-lift engine was rebuilt. The final carry over is \$205,681.47 for 1995, and if we stay in line with our present budget, Mr. Rodgers stated that we may want to look at an additional decrease in taxes for the next year. Mr. Rodgers reviewed for Council the projected costs of snow removal for the 1996 Blizzard in the amount of \$10,785.00 for the time between Jan. 5 thru Jan 12, 1996. This has been requested by PEMA for possible reimbursement.

SHADE TREE

Mr. Krupa reported the Winter edition of the Kindred Spirits was mailed in December. No further tree damage has been reported from the recent snow storms. It has been noted that Mrs. Drummey called in reference to removing a damaged tree on Orchard Street, she was reminding Council that we must advertise before we remove any trees. Mr. Krupa will check to see if that was an advertised tree.

RECREATION/PLAYGROUND COMMITTEE

Mr. Pile reported that he will be submitting the Small Communities Grant for the Recreation in Southmont Borough. Mr. Pile has distributed a breakdown for the Soccer/Ball Field costs for the proposed concession stand, restrooms, new fence, and new backstop. If the Grant would be approved we would have two years to complete the project. Mr. Pile is recommending that we approve the Resolution to apply for the Small Community Grant in the amount of \$16,750.00 for the in-kind services. Mr. Danyluk made a motion to approve the Resolution in the amount of \$16,750.00 for the in-kind services for Southmont Borough. Seconded by Mr. Kory. All in favor, motion carried.

Mr. Rodgers made a motion to re-appoint Mr. Pile to the Westmont Hilltop Recreation Commission for a 3 year term and Mr. William Kory as an alternate. Seconded by Mr. Krupa. All in favor, opposed none.

CABLE TV COMMITTEE

Mayor Morgan reported briefly on the TW Cable TV letter indicating that we need sign the Resolution to extend the current franchise agreement with TW Cable TV, until the new franchise agreement becomes finalized. A motion by Mr. Rodgers to approve the Resolution extending the franchise agreement, motion seconded by Mr. Davis. All in favor, opposed none.

Mayor Morgan further reviewed correspondence he received from COG and the Cable Coalition with reference to the recent Cable rate increases and additional services. According to the information the cable increase is based on the Social Contract between the FCC and Time Warner. The Cable Coalition Council has advised each community to send a "329 Complaint Form" in to the FCC asking for a review of the rate increases. Each Council member will be given a copy of this information, with the instruction for filing this complaint form. The Committee expressed a desire to have a resident of Southmont Borough file the form.

C.O.G REPORT

Mr. Davis has nothing to report tonight. A letter will be sent to COG informing them that Mr. Davis will be our representative and Mr. Krupa has been appointed as an alternate.

CHAPIN ARCH

Mr. Kory chaired a meeting before the Council meeting tonight and three estimates were reviewed for the restoration to Chapin Arch. Shaw Steeple Jacks, Inc. in the amount of \$14,060., Marisa Contractors in the amount of \$4,000. and Rosa Masonry in the amount of \$4,550. After discussion, Mr. Rodgers made a motion to accept the lowest bid of \$4,000.00 from Marisa Contractors, and to have the work completed by August 31, 1996. Motion seconded by Mr. Leventry. All in favor, opposed none. Marisa Contractors had stated that they would prepare the stones during the winter months, if selected as the low bidder. Mr. Bosley stated that Marisa should call if he needs help in locating the stones.

Mr. Kory asked if we would send letters to the other contractors. Also the applications for a Penn Dot Form M-954A, Highway Occupancy Permit will be completed and submitted to Penn Dot.

ZONING OFFICER'S REPORT

Mr. Pullen's written report records that there have been no permits issued since the last report. Mr. Pullen reported that he has informed Mr. Chiodo that he will have to re-apply for a building permit, as the one issued in 1995 has expired.

Mr. Pullen had a question on a property sold on Menoher Blvd. and a new business will be coming in to the area. Oncology-Hematology Associates will be applying for a permit to make a permanent ramp for the handicapped which would be in violation of the Zoning Ordinance 40' set back and install steps to the entrance. The Zoning Hearing Board would need to approve a set back variance and also to approve the permanent addition to the building. Mr. Pullen questioned which enforcement superseded in this case, the ADA Law or the Borough Zoning Ordinance. Solicitor Lovette felt that the ADA Law would supersede the Borough Zoning Ordinance.

Mr. Pullen also informed Council of a possible subdivision for a portion of the Bonaventure property on Susan Drive. A new home is proposed for that area. Mr. Davis had a question on an expired license, un-inspected vehicle parked on private property. Mr. Pullen stated that one un-inspected vehicle is allowed on private property according to BOCA Code.

MAYOR'S REPORT

No report. Mayor Morgan did ask Jan to call the Police to remove cars for snow removal along the streets. Council asked the Secretary to check with DCA or PSAB about an emergency proclamation issued by the Mayor for such emergencies. Mr. Danyluk had a question of which alleys are being plowed, and Mr. Bosley will get a copy to all Council members of which alleys are being plowed. The office did not receive any calls about alleys not being plowed.

SOLICITOR'S REPORT

Solicitor Lovette has re-written an agreement between Koontz Disposal and Southmont Borough in reference to the remainder of the Garbage contract thru 1997.

Solicitor Lovette had also corrected some language on the Hannah Alley Ordinance and it has been advertised for approval. Mr. Rodgers made a motion to approve Ordinance #400 accepting Hannah Alley. Seconded by Mr. Danyluk. Roll Call: Mr. Rodgers, Mr. Danyluk, Mr. Davis, Mr. Krupa, Mr. Kory, Mr. Leventry and Mr. Pile. All in favor, opposed none. Motion carried 7-0. Mr. Bosley has talked with the Engineer at Clark's Corner Store in reference to the location of the storm drain in Hannah Alley. The storm line locations will be marked.

On the Kenney -vs- Southmont complaint, Mr. Kenney did not follow up on a decision issued by the Court to file another complaint within 20 days of the December 4, 1995 hearing. Solicitor Lovette felt that the case was over.



SECRETARY'S REPORT

Mrs. Czyrnik's written report records estimates have been made to the County EMS in reference to the recent snow storm. Committee and Borough Appointments have been made and updated copies have been issued to Council. A disposition of records Resolution No 96-01 has been prepared for approval. Mr. Rodgers made a motion to approve Resolution 96-01 as submitted, seconded by Mr. Danyluk. All in favor, opposed none. The COG sewer cleaning agreement has been mailed.

TREASURER'S REPORT

Mrs. Czyrnik's written report records a balance of \$205,681.47 in the General Fund for December 1995. The Original December report, Account Transfers for 1995 and the Revised December's Report with transfers were submitted to Council.

TAX COLLECTOR

Mr. Quinn's written report records \$1,414.34 collections for December Real Estate, and \$22.00 collections for Per Capita. Total collections of \$1,436.34. Mr. Rodgers made a motion to accept the Tax Collector's report, seconded by Mr. Danyluk. All in favor, opposed none.

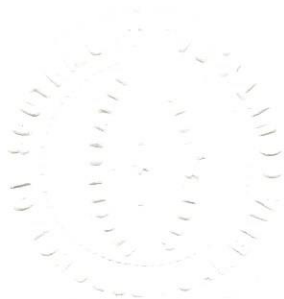
APPROVAL TO PAY THE BILLS

A motion was made by Mr. Rodgers to pay the bills in the amount of \$59,168.54. Seconded by Mr. Leventry. Roll Call vote: Mr. Rodgers, Mr. Danyluk, Mr. Davis, Mr. Krupa, Mr. Kory, Mr. Leventry and Mr. Pile. All in favor, opposed none. Motion carried 7-0. The Secretary will mark the new additions to the bill sheet and on a question on the Penelec invoice being so high, it is due to the difference between the estimated bill and the actual read bill.

OLD BUSINESS

The main Building roof repairs have not been completed due to the large amount of snow. So far we do not have any leaks due the heavy snow.

Mr. Danyluk reported that he will try to pin point a start date with Tercek Electric for the new service.



NEW BUSINESS

A letter was written to Westmont after December's meeting, to request straightening the Westmont/Southmont boundary line near the Pinewood Restaurant. Westmont Council has voted to retain the property line and they have requested Southmont to submit a legal description on the area in question. After discussion, Council is recommending that Mr. Pullen and a member of Council meet with Westmont Borough to clarify the reason for the request, and if this meeting is not successful no legal or engineering costs will be endured, the request will be dropped.

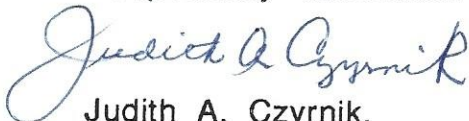
Klucker Pest Control submitted a request for a 10% increase for the maintenance and routine service he provides. Council expressed agreement with the 10% increase. Council directed the Secretary to ask Mr. Klucker to start his sewer rodent baiting maintenance work as soon as possible, and to ask for a detailed report as to the baiting locations with his monthly statements.

Council agreed to submitting the Southmont listing to the PSAB's Government Who's Who for the 1996 annual yearbook, for the fee of \$35.00.

If Mr. Pullen wants to attend the Penn State Zoning seminar, Mr. Rodgers made a motion to approved the registration fee. Seconded by Mr. Leventry. All in favor, opposed none.

Council adjourned 9:50 p.m.

Respectfully submitted.



Judith A. Czyrnik,
Borough Secretary

