

MINUTES
BOROUGH OF SOUTHMONT
October 16, 2000 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 16, 2000 meeting of Council convened.

PRESENT: President Pile, Mr. Rodgers, Mr. Rovanssek, Mr. Krupa, Mr. Strittmatter, Mr. Kory, Mayor Lary Koval, Secretary/Treasurer: Judith Czynnik, Solicitor: Daniel R. Lovette, Engineer: David Duray, West Hills Police: Chief Andy Havas, Detective: George Musulin, Fire Dept.: Michael Butler: Zoning Officer: Fred Pullen

ABSENT: Mr. Danyluk: Out of Town
Street Commissioner: Jan Bosley

VISITORS: Ron Kuhn-Garbage Contractor (WSI of Pennsylvania)
Dave McMillan-Garbage Contractor (Waste Management)

President Pile asked for approval of the September 17, 2000 minutes. A motion was made by Mr. Rodgers to accept the minutes as presented. Seconded by Mr. Krupa. All in favor, motion carried. Mr. Danyluk absent.

At this time President Pile asked for a motion to open the Garbage Bids. A motion was made by Mr. Rodgers and seconded by Mr. Kory. All in favor, motion carried. Mr. Danyluk absent.

Two bids were received, as follows;

Bids	One Year	Two Year	Three Year
#1 WSI of Pennsylvania 995 Landfill Road Hopewell, PA 16650	\$103,800.	\$208,200.	\$313,300.
#2 Waste Management 315 Valley View Drive Davidsville, PA 15928	\$ 69,660.	\$139,320.	\$208,960.

Both bids included Spring Clean-up and provided a \$100.00 certified check, as per bid request. After discussion, Mr. Rodgers made a motion to accept the low bid for the three year contract from Waste Management in the amount of \$208,980, pending Solicitor's review. Seconded by Mr. Kory. Roll call; Mr. Rodgers, Mr. Rovanssek, Mr. Strittmatter, Mr. Krupa, Mr. Kory and Mr. Pile. All in favor, opposed none. Mr. Danyluk, absent. Motion carried. Waste Management is the current hauler and Council has been satisfied with the service provided by them. Solicitor Lovette will prepare the contract documents. As successful bidders, Waste Management shall be required to submit, at their own expense, surety in the form of a performance bond and provide insurance certificates.

POLICE CHIEF'S REPORT

Chief Havas's written report records revenue for the month of September at \$206.83. Chief Havas reported on the monitoring of lower State St. for traffic violation's, as per a resident's request to slow the traffic down in this area. Chief Havas reported that some citations were handed out for speeding; however, there has not been any change from last month's monitoring. Traffic has not increased that he can see. Chief Havas feels the Police Department has done all that can be done by adding "speed signs" and "Watch Children" signs installed this month. He will continue to monitor the area, along with other areas in Southmont that have speeding problems.

There is a gun safety program scheduled for October 28, 2000. Gun safety and the new gun safety locks are to be demonstrated. A few hundred gun safety locks are to be distributed. This is to be held at the Westmont Municipal Building. The time will be announced in the newspaper. The Police Department will work with the Fire Companies for Trick or Treat night on October 26, from 5:30 to 7:30 p.m.

Mayor Koval asked if Council would review the Police Agreement at this time. Solicitor Lovette reported that the member Municipalities Solicitor's met, reviewed and discussed the proposed addendum to the Police Agreement with the newly proposed member, Lower Yoder Township. The revisions proposed were reviewed. Basically everything went well. The Commission is asking to sign the agreement with the Municipalities. Solicitor Lovette saw no harm in allowing them to sign, as a courtesy. Their signature does not mean anything. As long as the four municipalities sign the Agreement, there is no harm in the Commission signing. The contract is a Municipality contract, not a Commission contract according to Solicitor Lovette.

Mr. Rodgers made a motion to approve the Police Agreement as presented, with the understanding that the agreement is with the Municipalities and not the West Hills Regional Police Commission. Motion seconded by Mr. Krupa. Roll call; Mr. Rodgers, Mr. Rovanssek, Mr. Strittmatter, Mr. Krupa, Mr. Kory and Mr. Pile. All in favor, opposed none. Mr. Danyluk, absent. Motion carried.

Mr. Rodgers thanked all members of the Council who worked on this agreement. He stated that they all did a fine job.

ZONING OFFICERS REPORT

Mr. Pullen's report records 5 new permits were issued for this month with a construction cost of \$28,600.00. Mr. Pullen's written report records that the Zoning Hearing board granted the following variances requested by Mr. George Haidar of 1070 Luzerne Street. A side yard set back of 2 1/2 feet from the property line was granted. A variance from the covered parking violations and a variance from the shrubbery and buffer requirements was approved. The final conclusion was that the approval was granted with some safeguards. The project must be completed by 9-2001; a four foot fence must be constructed on top of the retaining wall, a revised site plan must be submitted and the appellant must post a financial security satisfactory to the Borough.

On another Permit, Attorney Michael Stibich is planning to move his law offices to his home at 209 Palliser Street. The request requires a special exception from the Zoning Hearing Board. A meeting has been scheduled for November 2, 2000 to hear the appeal.

Mayor Koval asked to discuss the request from Mr. & Mrs. Scott Pyschnik about the overhanging shrubs near the entrance to their driveway that belong to Mr. Sprague. The Pyschnik's claims the shrub is on the right of way and they are asking for it to be moved onto Mr. Sprague's property. It is blocking their driveway and they feel it is a hazardous condition. Mayor Koval feels the shrub is no different than at many other alleys or driveways in the Borough. Council discussed this situation and after a lengthy discussion it was decided that according to our contract with Mr. Sprague the shrubs were to be removed for the sanitary sewer construction at Luzerne Street and replaced where they were before construction, as agreed in the construction contract. It was the consensus of Council to follow the recommendation of Mayor Koval and put the hedges/shrubs back where they were before construction, as agreed. Solicitor Lovette will send a letter to Mrs. Pyschnik with Council's decision.

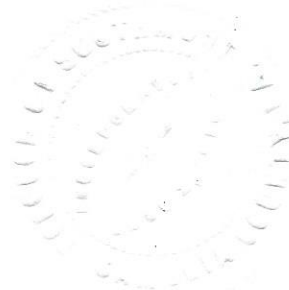
FIRE COMPANY REPORT

Chief Butler's written report recorded 11 responses for the month of September. The Fire Department responded to a structure fire on September 18th at the home of Mr. Donald Oswald at 117 Wonder Street. The fire resulted in a large amount of smoke, heat and water damage. The estimated loss is \$190,000., for house and contents. The cause of the fire was a faulty electrical switch. Fortunately there were no injuries. Chief Butler reported that two members of the Fire Department have passed their National Fire Service Professional Qualifications Board test. Mr. John Butler and Mr. James Carbaugh Jr. are now considered Fire Fighter I Standard.

Chief Butler reported that the base radio has been replaced today. The Department should be back on line and the pagers can now be activated automatically, instead of having 911 activate the pagers. The fire siren is still inoperable. Cambria County 911 is having some problems with sun spots, towers and etc. Once the problems are worked out. the siren will be retested. Mr. Rodgers made a motion to approve the Westmont Hilltop Recreation Commission's schedule for Trick or Treat night on October 26, 2000 from 5:30 to 7:30 p.m. Seconded by Mr. Krupa. All in favor, motion carried. Mr. Danyluk, absent

Chief Butler suggested that the Fire Department be notified when the schedule is set for Trick or Treat night. The Recreation Commission will be asked to notify the Municipality earlier.

Mr. Krupa asked that Council review the proposal for service submitted by Hilltop Ambulance Association. It was decided at last month's meeting that we would terminate the 1982 agreement, as much of it did not apply to current procedures. A letter will be sent to the Association terminating this agreement. A new proposal was submitted and after discussion no motion was made. It was Council's consensus that no action be taken.



ENGINEER'S REPORT

Mr. David Duray of Hinks and Locher Engineers reported that the Luzerne Street sanitary sewer project on the Sprague property is progressing. He expects they will be done by the end of this week. Mr. Duray remarked that even though PA. One Call was notified, L & M Construction did run into a gas line basically in the same right of way, however, it has been corrected. Some additional costs will probably be incurred due to this gas line. The proposed manhole had to be moved.

The Engineer's met with the Street Committee with reference to the 2001 Street Paving project. Borough streets were reviewed, especially the concrete streets. Engineers will prepare cost estimates for different alternatives for redoing the concrete streets, such as tearing out completely, paving over or resurfacing and /or patching. (Mabel, Leon and Daisy Streets) Concrete streets last approximately 40 years, opposed to asphalt which lasts only 5-8 years, depending on traffic. Discussion followed. Milling was done on the curve at Olive St. and Southmont Blvd. Mr. Duray suggests that we look at this curve each year with the Street Paving inspection. This was last done approximately 4 years ago. The Borough employees will need to repaint the lines.

STREET COMMISSIONERS REPORT

In Mr. Bosley's absence, the written report records that the landscaping has been completed at the Recreation restrooms at the Community Park on Wonder Street, for the Department of Conservation and Natural Resources. Employees cut grass, checked flows in the sanitary sewer lines, cleaned inlets, and did routine Borough Building maintenance. Grass and weeds were cut along the Cheney Run fence and crack repairs were made before the DEP inspection. The Cheney Run was inspected on October 4, and is in excellent condition. The Inspector noted several residents were throwing debris in the creek and he will note this in his report. We will need to send these residents warning letters. Signs were installed in Kale Alley and additional 25 MPH and Watch Children signs were installed on lower State Street.

A motion was made by Mr. Rodgers to hire Greg Faust at minimum wage (\$5.15) per hour, as needed. Seconded by Mr. Krupa. All in favor, motion carried. Mr. Danyluk, absent.

STREETS

In Mr. Danyluk's absence, Mr. Rodgers reported that the street inspection was done and the rating system was utilized. The concrete streets were reviewed at great length. Upper Dell Street was looked at. The Engineers will prepare cost estimates for the proposed 2001 Street paving project.

ADMINISTRATION/PERSONNEL COMMITTEE

The Personnel Committee is requesting that Council members do their evaluations and that the Street Commissioner and Secretary prepare their staff evaluations.

POLICE COMMISSION

Mayor Koval asked about a letter sent from the West Hills Regional Police Commission in reference to some remarks made at a Commission meeting. No response necessary.

RECYCLING COMMITTEE

Report submitted. Mr. Rovansek reported that our expense for recycling this year should be about \$2,000. No further report.

INSURANCE COMMITTEE

Mr. Kory questioned if the Storm damaged claim had been filed and if we had any report back. The report was filed, there is a \$250.00 deductible. We have not heard back from the Insurance Co. A motion was made by Mr. Kory to have the Solicitor prepare and advertise an amended Fire Escrow Ordinance. Seconded by Mr. Rodgers. All in favor, motion carried. Mr. Danyluk, absent. (Note: It was determined that we have updated this with Ordinance No.392, Act 93 of 1994, replacing No 380, Act 98 of 1992. Solicitor was notified not to prepare new Ordinance.)

BUDGET COMMITTEE

Mr. Rodgers gave the third quarter report. The quarterly report records that the receipts are 86% for the 2000 Budget. The expenditures are at 50.6%. Some big expenditures will be paid within the next month or so. Everything is in line.

SHADE TREE

Mr. Krupa reported to Council the Newsletter will be mailed early December and news items should be given to the Secretary within the next week. The entire Limbs and Branch height will be published. Mr. Krupa looked at several newly planted trees that are not doing well. They are still being inspected.

RECREATION/PLAYGROUND COMMITTEE

Mayor Koval reported that the Trick or Treat schedule was set for October 26, 2000 from 5:30 to 7:30 p.m. Police and Fire Departments will assist and patrol the streets.

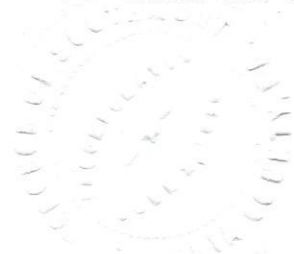
There was some request for possibly of starting a 13-15 year old baseball team. The Program Committee will meet to discuss this further. Upper Yoder Township did some bridge work at the Ridge. Mayor Koval asked the Commission to paint the back boards and the garbage cans at the State Street Courts.

BUILDING /GROUNDS COMMITTEE

Mr. Kory inspected the area around the Diamond Blvd. Sheds again. There still is debris around these sheds. A list of the Borough Buildings and Grounds will be given to Mr. Kory .

COG REPORT

Mr. Rovansek had no report.



CHAPIN ARCH

Solicitor Lovette reported that the deed to the Chapin Arch has been recorded to Southmont. Solicitor Lovette will prepare a new deed from Southmont to the Conservancy.

MAYOR'S REPORT

No further report.

SOLICITOR

Solicitor Lovette prepared proposed Ordinance No 423., naming the alleys as required by Cambria County 911, for emergency services. A motion was made by Mr. Rodgers to advertise proposed Ordinance 423. Seconded by Mr. Kory. All in favor, motion carried. Mr. Danyluk, absent.

Solicitor Lovette reported that the Codification Ordinance No 422 has been advertised and ready for final approval. A motion was made by Mr. Rodgers to approve Codification Ordinance No 422. Seconded by Mr. Kory. All in favor, motion carried. Mr. Danyluk, absent.

A motion was made by Mr. Rodgers to prepare and advertise an ordinance for the No Parking in Kale Alley and the additional Speed limit signs on the lower end of State Street. Seconded by Mr. Krupa. All in favor, motion carried. Mr. Danyluk, absent. Solicitor Lovette discussed the meeting with the Attorneys for the Municipalities in the West Hills Regional Police Commission. Mr. Rodgers thanked Attorney Lovette and everyone else who worked on the completion of this agreement.

SECRETARY'S REPORT

Mr. Rodgers suggested that the Zoning Officer look at the pond on Otis Street and Southmont Blvd. If necessary the property owners should be notified and a BOCA code violation should be filed. Mr. Rodgers made a motion to approve the Secretary's report. Seconded by Kory. All in favor, motion carried. Mr. Danyluk, absent.

TREASURER'S REPORT

A motion was made by Mr. Rodgers to approve the September Treasurer's report as presented in the amount of \$407,045.18. Seconded by Mr. Kory. All in favor, motion carried. Mr. Danyluk absent.

TAX COLLECTOR'S REPORT

A motion was made by Mr. Rodgers noting that the Borough has received the September Tax Collector's report with RE collections of \$1,511.29 and PC collections of \$33.00. Seconded by Mr. Kory. All in favor, motion carried. Mr. Danyluk absent.

PAYMENT OF BILLS

After discussion, a motion was made by Mr. Rodgers to approve payment of the bills, in the amount of \$38,179.83. Seconded by Mr. Kory. Roll Call: Mr. Rodgers, Mr. Rovansek, Mr. Strittmatter, Mr. Kory, Mr. Krupa, Mr. Pile. All in favor, opposed none. Mr. Danyluk absent.

OLD BUSINESS

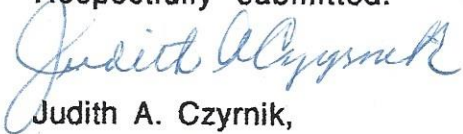
President Pile asked for review of items on the "Tickler List". Items were reviewed, removed or relisted. Some new items will be added. Completed items were removed.

NEW BUSINESS

A Committee meeting will be held on November 14, 2000 and a Budget Committee meeting on October 24, 2000 at 7:00 p.m. We have requested a curb cut cost estimate for the Budget meeting. No members of Council will be attending the Cambria County Fall Meeting.

Meeting adjourned at 8:45 p.m.

Respectfully submitted.



Judith A. Czyrnik,
Borough Secretary

