

MINUTES
BOROUGH OF SOUTHMONT
October 19, 1998 7:00 p.m.

The regularly scheduled October Council meeting was called to order by President Pile at 7:00 p.m. After the pledge to the flag, the October 19, 1998 meeting of Council convened.

PRESENT: President Pile, Mr. Rodgers, Mr. Leventry, Mr. Krupa, Mr. Kory, Mr. Rovansek (7:05), Mr. Strittmatter, Engineer: Dave Duray, Secretary: Judith Czynnik, West Hills Police: Chief Andy Havas, Solicitor: Daniel R. Lovette, and Fire Department: Fire Chief Michael Butler

ABSENT: Mayor Lary Koval (out of Town-Business), Zoning Officer: Fred Pullen (sick)

VISITORS: Stephanie Troyan, Director WHRC George Ambroe, GJWA
Dr. Richard Kastelic 56 Gardner Street Wm. Carstensen, GJWA
John Wilfong, TD Reporter

President Pile asked for approval of the September 21 ,1998 minutes . A motion was made by Mr. Strittmatter to accept the minutes as written. Seconded by Mr. Rodgers. All in favor, motion carried.

At this time, President Pile called upon Ms. Stephanie Troyan. Ms. Troyan wanted to meet with Council to introduce herself as the new Director of the Westmont Hilltop Recreation Commission.

Dr. Kastelic attended the meeting to see if there were any updates about his request to purchase the former Waters property owned by the Borough and adjacent to his property on Gardner Street. Solicitor Lovette and President Pile are reviewing the deeds. The restrictions are that the property remain a rustic walking park and be used for no other purposes. They will research the Mellon Trust agreement referred to in the deed. Dr. Kastelic has written a formal request to Council and it is on file. Council advised Dr. Kastelic that after they review the paperwork they will get back to him with the information.

The Johnstown Garden Club has submitted to Council a proposal to beautify the section of Menoher Blvd. and Barnett Street. They would provide all the landscaping for the beautification program as proposed in the amount of \$3,600.00 In order to get a permit from PennDot they must have an agreement with Southmont Borough to do the maintenance. They would be willing to begin planting as early as November 1998, if approved. Council referred this request to the Street Committee for review.

Mr. George Ambroe and Mr. William Carstensen, Borough representatives of the GJWA attended the Council meeting to discuss a request that members of the Greater Johnstown Water Authority adopt a Resolution in support of purchasing the Quemahoning Reservoir and the other four dams owned by Manufacture's Water Company for purposes of economic development for this area and to maintain the quality and sufficient supply of water for the Johnstown Area. Westmont and the City of Johnstown have already approved the resolution.

Mr. Ambroe and Mr. Carstensen answered questions from Council. It was stated that the Manufactures Water Company owns several dams. Hinkston Run, Quemahoming, South Fork River Dam, Border River Dam and Wilmore. The purchase would not mean any rate increase to the customers of the GJWA. The Water Authority is currently using Que. water now under a twenty year contract with Bethlehem. The Riverside Treatment Plant is processing this water for customer use. There are many concerns that making this a recreational facility (golfing, boating, living, etc) would pollute the water supply. Industrial development would not be a problem. After discussion and further questions a motion was made by Mr. Leventry to adopt Resolution 98-02, approving the proposed acquisition of the Manufacturer's Water Company by the Greater Johnstown Water Authority as required by Section 9 of the Municipal Authorities Act of 1945. Seconded by Mr. Rodgers. All in favor, Rodgers, Rovanseck, Krupa, Kory, Leventry, Pile, opposed 1, Mr. Strittmatter. Motion carried 6 -1.

Ms. Joni Henry had requested to be on the agenda to discuss the fire siren located on Cox Street. The Fire Company had a meeting with residents on October 12, 1998 to discuss the concerns of the residents who are disturbed by the high volume of the siren. Mr. Pile was invited to the Fire Company meeting with the residents. After discussion it was recommended that a Fact Finding Committee be appointed to review the concerns of the residents. Mr. Robert Forquer of 38 Shady Lane, Mr. Rick Reed, President of the Fire Company and Mr. Strittmatter, Borough Council were named to the Committee. Mr. Leventry made a motion to approve the Fact Finding Committee, motion seconded by Mr. Rodgers. All in favor, motion carried. At this time, President Pile turned the gavel over to Vice-President Leventry, as he had to leave. (7:40 p.m.)

POLICE CHIEF'S REPORT

Chief Havas reviewed the written report submitted. Revenue for the month of September was \$1,137.82. Officer Crichton conducted a tour of WHRP headquarters and showed Department vehicles to Cub Scouts of Westmont Den #11. Officer Bellak demonstrated Department firearms and talked about safety in handling weapons. Trick or Treat night will be October 29, 1998 and the WHRP will have extra officers on duty in the three municipalities for protection. On a question by Mr. Krupa, as to if the fire siren will be sounded for the start and conclusion of Trick or Treat, it was Council's consensus that the Fire Department continue sounding the siren, until the Fact Finding Committee has had a chance to review the siren problem.

ZONING OFFICER'S REPORT

Mr. Pullen's written report records 5 new permits were issued since the last report, with an estimated construction cost of \$2,650.00. The year to date estimated construction total is \$1,291,879.00, less \$640,000.00 for the voided permit #9811 for Chrillo for which construction has not started. The new estimated construction cost \$653,803.00. The Haidar hearing was resumed on October 6, 1998 at Magistrate Barron's office. No punitive action was taken against Mr. Haidar.

Since the hearing Mr. Haidar has begun to dump earthen fill in the area, presumably to cover and landscape the area, where he has dumped debris, as per his agreement at the May 1998 hearing. Mr. Pullen is recommending that the action be closed. Solicitor Lovette is aware of the non-action taken will update with Attorney Patrick Kiniry who is the Borough's Zoning Solicitor. Solicitor Lovette reviewed what he was aware of in reference to Magistrate Barron's decision. Solicitor Lovette feels that it is "rubbish", however, it could go to Court and another Judge could rule the same as Magistrate Barron. Council should decide what action they want to further take, if any. Consensus of Council is to hold for now. Also, Solicitor Lovette talked about a discussion he had with Attorney C.J. Webb in reference to the Merlo hedges. After discussion, Mr. Rodgers suggested that it be referred to Committee. The right of way will need to be determined and before any trimming be done by the Borough, Merlo would be notified. Solicitor Lovette will request a copy of the survey recently done on the Merlo property.

FIRE COMPANY REPORT

Chief Butler's written report records that the Department had 30 responses during the month. The Fire Company responded to a vehicle fire at 104 Mabel Street. The fire was contained to the engine compartment for an estimated loss of \$600.00. Ten new rain coats have been purchased and voice amplifier adapters for the Self-Contained Breathing apparatus. Chief Butler submitted to Council a copy of the actual activity of the Fire Department for the month involved in the recent complaints about the siren. Also, submitted was a list of actual calls from Jan thru Sept. , along with a section of the "911" Newsletter on dispatching information. These copies are being submitted to answer any questions on the legitimacy of the siren.

The new building is about 95% completed. The Department of Labor & Industry was in to inspect the building and everything is fine and an Occupancy Permit has been issued. All of Council is invited to the "Open House" scheduled for November 8, 1998 beginning at 2:00 pm. Chief Butler reported that the Fund Drive is being received rather poorly and returns are below expected amounts. The Hilltop Ambulance Minutes are on file and copy will be sent to SVFC. There will be a meeting on October 21, 1998 between neighboring Fire Departments to discuss operations analysis study. Council requested that someone from the Fire Department attend.

ENGINEER'S REPORT

Mr. Dave Duray of Hinks & Locher Engineers reviewed with Council the progress of the Southmont Blvd. retaining wall. The rock is uneven and extra concrete (approximately \$2,500.00) has been used to level the wall. The project is moving along on schedule. Mr. Duray reported that nothing new to report since the September 21st. letter on PineBrooke Development. No schedule on the paving of the Cheney Oak Drive was received to date. Laurel management has inspected the water lines in the area and found them to be satisfactory. Mr. Duray requested GJWA a letter in writing to that effect. Mr. Duray reported that they are working on bid documents for the completion of the ballfield restroom/storage building.

Council discussed that we have not received payment for the Engineers & Attorneys fees for the PineBrooke Development. Invoices for reimbursement in the amount of \$2,131.88 have been sent to 1st Summit Bank, as directed. No payment has been received since July. Solicitor Lovette will review for Council. Also, Mrs. Czarnik reported that the holding pond fence, as described to Mr. John Azpel of PIRMA, would be fine and signs on the fence will be satisfactory. He recommended that a Resolution be passed when we accept the pond, describing the area as No Trespassing and that it is not a Recreational or Park area. Mr. Duray feels that final completion will not be done this fall, and the Borough should not accept the project until it is completed. Paving could be done later however this depends on the weather. If this project is not completed and accepted by the Borough there will be no snow plowing on Cheney Oak Drive beyond the townhouses, which we currently plow.

COMMITTEE REPORTS

STREET COMMISSIONER

Mr. Bosley's written report records that they did routine maintenance work on the building, trucks and Borough properties. Continued to check input flows at sanitary sewers for Corrective Action Plan. Finished painting white berms on Susan Drive. Installed new hood on Susan Drive catch basin near Menoher Blvd., a possible hazard. Marked catch basins on Susan Drive with delineators. Regraded and reseeded the grass island on Susan and Shady Lane. Finished patching cracks and rough section of Cheney Run culvert for DEP, as per the annual inspection. A concrete storm sewer vault was cut down and a new cover was installed near the Fire Company parking area. A 10" storm pipe was lowered, also in the parking area. This was done before paving to decrease any extra cost to the Fire Company. Met with the Contractor for the retaining wall along Southmont Blvd. Installed "No Parking" and "One Way" signs for detour around the area. School bus lines and Cambria County transit Authority were notified of the Construction. The new diesel tank has been installed and inspected by the Department of Labor and Industry. Trimmed along Southmont Blvd. and Elim Street for improved visibility when entering Southmont Blvd. Began picking up leaves in the Borough. Mr. Bosley will modify the calcium chloride spray bar since the new diesel tank has been installed. Mr. Bosley will take a course in using weed killer spray. He would need to be licensed and certified. A tree was cut down in front of the new Fire Company addition, as per their request. No additional news about the new Borough truck.

The newly purchased 1990 Dodge pickup's motor needs to be replaced. Estimates are for a total rebuilt motor at \$1,621.00 or a used motor for \$1,000.00.

A motion was made by Mr. Krupa, and seconded by Mr. Rodgers to approve the purchase of the rebuilt engine. All in favor, motion carried.

Council agreed to having a fence installed around the retaining wall at the Borough Building, at a cost of \$350.00.

STREET COMMITTEE

Mr. Leventry had nothing further to report.

ADMINISTRATION & PERSONNEL COMMITTEE

Mr. Strittmatter submitted a third and final draft copy of the Policy and Procedures Manual and a final draft of the fee schedule for the Borough. After discussion, a motion to approve the Personnel Policy and Procedures manual was made by Mr. Strittmatter and seconded by Mr. Rodgers. All in favor, motion carried. After discussion and further modification, a motion to approve the Fee Schedule Resolution was made by Mr. Strittmatter and seconded by Mr. Rodgers. All in favor, motion carried. Mr. Rodgers commended Mr. Strittmatter on the Manual and Fee Schedule. No further report.

POLICE COMMISSION

Vice-President Leventry reported only that the Police Commission will meet on Tuesday, October 20, 1998 at the Brownstown Municipal Building.

RECYCLING COMMITTEE

No report.

INSURANCE COMMITTEE

Mr. Kory reported that a questionnaire will be returned to PSAB for additional information on Group Life, Vision & Dental benefits.

BUDGET COMMITTEE

Mr. Rodgers requested that various committee Chairmen get their budget requests together for the meeting now scheduled for October 27, @ 7:00 p.m.

SHADE TREE

Mr. Krupa reported that Arborist, Andrew Moore from the Penn State area came and reviewed at least 12 to 18 old and/or damaged trees with three members of the Shade Tree Commission. Mr. Krupa noticed two trees where cut down recently. He notified the residents that they could be fined up to \$600.00 for not applying for a permit before cutting. Tree removal of cutting permit information will be reviewed again in the "Newsletter". Mr. Krupa mentioned about the passing of a Shade Tree Commission member, Professor Ellen Hoffman. She will be honored at the 1999 Arbor Day celebration.

RECREATION/PLAYGROUND COMMITTEE

Submitted report on file. No further report.

BUILDING /GROUNDS COMMITTEE

Mr. Leventry had no other report.

C.O.G. COMMITTEE

NO report other than the annual Christmas Party will be held on November 20, 1998, at Ebensburg V.F.W. Reservation deadline November 6. There will not be any annual due for COG in 1999, to any Municipality under 4000 population.

CHAPIN ARCH

Mr. Kory had nothing to report until Spring.

MAYOR'S REPORT

No report.

SOLICITOR

No further report.

SECRETARY'S REPORT

Mrs. Czynnik's report records that Dr. Kastelic has written a letter requesting the research of the deeds to the Waters property along Gardner Street near his home. He is willing to pay the legal expense to investigate the possibility of purchasing that property. The Board of Health appointment will be reviewed by President Pile and be made before the end of 1998. Council approved the advertisement of the Shade Tree Commission meetings and the Fall Brush Schedule. Mr. Leventry is checking the report and review of the GPU Energy evaluation study done recently on the usage of kwh's for the Building. All monies received for the Foreign Fire Insurance in the amount of \$9,700.24 and Pension System State Aid in the amount of \$1,163.18 have been distributed with this months bills. We have received \$12,000.00 for the County Aid for 1998. and the Public Utility Realty Tax in the amount of \$6,314.60. We have been notified of the allocation for 1999 for the State Liquid Fuel funds in the amount of \$46,515.14. We have been notified of another County Assessment Appeal for the Pasquerilla property. Received notice of the ability of our computers and the Borough's database system for the year 2000. Mr. Thomas Lewis reported that our system will not be effected by the Y2K problem however after 2009 years will have to entered in the 4 digits. A motion by Mr. Krupa to accept as submitted, the Pennsylvania Municipal Retirement Board allocations of the 1998 excess investment money. Seconded by Mr. Strittmatter. All in favor, motion carried. Mrs. Judith Strittmatter submitted several names of Doctor's in the Borough of Southmont for the Board of Health Inspector. An appointment needs to be made since the death of Dr. George Hanzel.

TREASURER'S REPORT

Council approved the Treasurer's report for the month of September in the amount of \$349,110.72 in the General Fund balance. All in favor, motion carried.

TAX COLLECTOR

Mr. Quinn's written report for the September Report records \$406.80 in Real Estate collections and \$22.00 in collections for Per Capita. A motion was made by Mr. Rodgers that we receive the Tax Collector's report, seconded by Mr. Kory. All in favor, motion carried.

APPROVAL TO PAY THE BILLS

After review and there being no questions, a motion was made by Mr. Rodgers to approve the Payment of the Bills in the amount of \$53,075.20. Seconded by Mr. Krupa. Roll Call: Rodgers, Rovansek, Strittmatter, Krupa, Kory, and Leventry, all in favor. Opposed none, motion carried. Pile, left early.

OLD BUSINESS

Items on the "Tickler List" were discussed. Items were reviewed, removed and re-listed. PineBrooke holding pond/Resolution was added and painting the Recycling trailer was added. Resolutions for fees and no lien letters was removed with the approval of the Fee Schedule.

NEW BUSINESS

Vice-President Leventry submitted a Leaf Pick-up Schedule sample used by another Municipality. He is suggesting that we look into a possible schedule for the same. His Committee will review this subject. Mayor Koval will attend the PSAB Fall Leadership Conference on November 14, 1998 at the Hidden Valley Resort. Reservations have been made. Mr. Dan Kresko submitted the drawings and descriptions for the partial of the "right -of-way" he want to purchase. Copies will be given to Mr. Rodgers for an appraisal of this tract. Mr. Rodgers suggested a "thank you" note be sent to Upper Yoder Township after they do some grading in our alleys. This is a shared effort between Municipalities and their Public Works Departments. They have used our compressor during the summer months. There being no other discussion, Council adjourned 9:00 p. m.

Respectfully submitted.



Judith A. Czyrnik,
Borough Secretary

