

MINUTES
BOROUGH OF SOUTHMONT
March 20, 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 March meeting of Council convened.

PRESENT: Mr. Glass, Mr. Pile, Mr. Rodgers, Mr. Danyluk, Mr. Kory, Mr. Krupa, Mayor Robert Morgan, Street Commissioner: Jan Bosley, Solicitor: Dan Lovette, Engineer: Ron Walker, West Hills Police Chief, Andy Havas, Secretary: Judith Czyrnik, Zoning Officer: Fred Pullen, Fire Co: Michael Butler

ABSENT: Mr. Leventry, Mr. Dailey-Hilltop Ambulance,

VISITORS:

Chuck & Sally Getty	Joan Rocco	Mark & Kathy Parseghian
Mike Kohler	Jim Rocco	Betsy Sherrier
Karl & Linda Kushner	Ann Neff	Mary Jane Pfaller
Shirley Chaney	Clara Neff	Susan Brett
Earl Rager	Larry Koval	Iris & Jim Marr
Sam Manganello	Tom Prout	Joe Polantz
George & J.E.Hanzel	Kathy Crisafulli	Wm. Leckey
Eileen Hoffman	M. Darlene Marsh	Dorothy Glass
Charles Ellis	Karen & Mark Latch	John & Lisa Khuri

At this time President Glass asked for approval of the February 20, 1995 regular Council meeting minutes. Mr. Danyluk made a motion to accept the minutes of the February 20, 1995 meeting of Council. Motion seconded by Mr. Krupa All in favor, motion carried.

VISITORS

President Glass explained to all visitors that the Borough has a policy whereas 5 minutes is allowed to any resident, in the event of several residents having remarks on the same subject Council asks that a spokesperson is selected to talk on that subject. President Glass called on Mr. & Mrs. Karl Kushner at this time. Mr. Kushner is requesting that an unopened section of Okra Alley (formerly Orange Alley) be vacated. Mr. Kushner stated that there is an unsightly pile of dirt and gravel accumulated in the grassy area due to the snow plowing practices of an independant contractor, causing a hazardous obstacle for anyone walking on the sidewalk. Mr. Kushner has repeatedly cleaned up this obstacle. Mr. Kushner is requesting that the Borough vacate this section, or allow him to purchase this property and he will pay to install a concrete curb at the Arlington Street entrance.

President Glass explained to Mr. Kushner that he would have to present Council with a petition, a brief discription of the proposed request, with signatures of the residents abutting the alley, who agree on the request. He should have this presented to Council early enough for advertisement, to be approved at the next Council meeting in April.

Mr. Danyluk suggested that Mr. Kushner could pay the survey fee that would be necessary for the vacation of this alley. Mr. Kushner will talk with the other residents. Mr. Kushner also requested that if and when this property is vacated the Borough instruct private snow plowers not to plow 6' to 8' over his proposed curb and into the land.

President Glass called on Dr. Hanzel to review the concerns of his letter of March 3, 1995. Dr. Hanzel began by stating that he would ask his questions in sequence, beginning with a question as to which group is responsible for the Diamond Playground project. He continued with a request for the four part plan that Mr. Polantz referred to in the October 17, 1994 minutes. Dr. Hanzel also was interested in the "3 phase program," Mr. Polantz spoke of at the December 19, 1994 meeting and the "\$30,000 goal for the Playground/Recreation Area", and the "expansion of the project". He ask that these items be defined and described. In Dr. Hanzels letter of March 3, 1995 he asked about underground springs that could cause significant run-off and the possiblity that excavating could lead to opening these springs. Some other of Dr. Hanzel's concerns were about the Borough's liability should water damage the homes south of the park, wetlands, root system damage to the large trees north of his property, added costs for the possible drainage problems, costs and funding for the project, etc. Dr. Hanzel asked if the Borough had an Ordinance regarding storm water run-off. Dr. Hanzel offered an alternate site, in the location of the southwest side of the Borough Building, in the event the Diamond Blvd. site costs would escalate beyond the budgeted figure? (Dr. Hanzel's questions will be attached to the minutes) Dr. Hanzel asked if all of Council members had time to read his letter. They all had a copy of his March 3, 1995 letter. Dr. Hanzel requested that these questions be answered in writing.

President Glass felt that it would be a good time to review each of his questions according to his letter of March 20, 1995, which he is now submitting to Council. Mr. Glass felt this would be a better way of allowing the other residents, who may have the same concerns a chance to hear the remarks. Dr. Hanzel agreed. President Glass addressed the first concern, as to who is responsible for the Diamond Playground. The Borough Council and the Westmont Hilltop Recreation Commission are both responsible, jointly. The Southmont Playground Committee is a functional body of the Borough Council, as an appointed committee. The Playground Committee would be acting as an agent of the Borough.

Mr. Glass ask Mr. Polantz to address the "four part plan", in reference to the site recommendations, funding, equipment and layout. Mr. Polantz did not have a four part plan with him. Mr. Polantz did state that the issue at the time of the reference to the four part plan, was the Recreation Commission's proposed possible nature/walking trail, that could have included a picnic pavillion. Next question was about the three phase program. Mr. Koval explained to the visitors that the goals of phase one of the program was to build a playground including the mulch and large and small structures for children between the ages of 2 to 12. In addition the plan included a structure or pavilion for the Recreation Commission's summer program. Secondly if additional funds were raised maybe a small parklet could be provided, for a flag pole and benches for senior citizens to enjoy. Possibly an area for hopscotch and maybe a 4 square activities area for small children. The third phase of the plan was for the grant Mr. Polantz spoke of for the trailhead. The grants were written for the upper part of this park area, not where the proposed playground site is. But, expansion could be considered if this grant would come through. Mr. Manganello asked if there was any Federal or State funding being provided for the playground. Solicitor Lovette told the residents there is no grant in place to fund the playground. The Recreation Commissions five year plan committed to 3 playgrounds in the three municipalities over that many years. Funds would be alloted for each playground from the Recreation Commission in the amount of \$20,000. Other funding would be from private contributions. This year because of the two competing groups, the Commission asked that each entity prefund \$10,000 for this year, 1995, in order to build both playgrounds. Upper Yoder and Southmont both agreed. Solicitor Lovette said no prevailing wage would need to be paid for this reason, and hopefully all labor will be voluntary. President Glass asked Dr. Hanzel if his questions were answered on the three phase and the expansion. He stated they were answered. Mr. Koval clarified the "Playground/Recreation" terms meaning that the Playground Committee and the previous plans for the area defined in a grant by the Recreation Commission for a trailhead -nature trail in the same area would be a combined effort in that area, if the grant was received.

President Glass explained so that everyone understands, there is a grant application in for funds for the ballfield/soccer field adjacent to Portage National Bank, State Street side. This also is a combined effort between the AYSO, Portage Bank, Southmont Borough, and the Recreation Commission. This grant is for new backstops, bleachers, scoreboard, and possibly a restroom facility. The grant application for the nature trail in the borough park is one that we have applied for over the past three or four years. To date we have never been awarded anything towards this application. However, we do keep filing the application for the nature trails.

Dr. Hanzel's letter of March 3, 1995 also ask about underground springs. And on his letter of March 20, 1995 he also asks about excavation, run-off, and flooded properties downhill from the area. (re: March 20, items 4,5,6,7,8,&9) President Glass asked that Mr. Walker of Hinks & Locker Engineers please present his site plan drawings, showing the contour of the area, new drainage pipe, new swale, new silt fence and the proposed excavation of this area. Mr. Walker explained to the residents that the Council plans for extensive drainage control. The area should be better than before the playground was planned. Mr. Getty and Mr. Rocco also reviewed the maps. (#7) This map will be submitted to the County for their approval. The map had answered Dr. Hanzel's questions reference drainage. A copy will be given to Dr. Hanzel for his record, (#8) along with a copy of any ordinance or regulation regarding storm water run off. Solicitor Lovette replied to item #6, the Borough does have liability coverage. Continuing with the funding of the project will include private and business contributions. The excavation will be done by a contractor rather than Borough forces, as we do not have the proper equipment for excavating. Borough forces will do the proposed drainage work. Dr. Hanzel questioned if the costs escalated for excavation, drainage and etc., "would the Borough consider recinding the decision of the Diamond Blvd. site?" President Glass informed the residents that the Council will hear everyones remarks tonight and then ask if the vote should be recinded. Council ask if Dr. Hanzel had any other question or if there were any other residents with questions on these items. There being none Council moved on. (Dr. Hanzel had an alternate site statement for the Borough, see letter, March 20, 1995.)

Mr. Micky Kohler informed Council of a problem at the State Street Basketball/Hockey courts. First of all, cars are parking illegally (wrong way) on State Street and to close too the corner. He suggested that the Police patrol this area during the peak times of use. Other matters are the excessive use of bad language, the Boom Boxes with vulgar tapes being played, and the amount of trash left laying around the courts. Chief Havas told Mr. Kohler that the parking will be addressed and as far as the loud noises, vulgar language, etc. a request for the Recreation Commission to post warning signs indicating continued abuse of the language and trash warnings will cause the gate to be locked. The police will also patrol this area regularly. Council advised Mr. Kohler that he should call the Borough Secretary about the trash, and she will inform the Recreation Commission to have someone clean it up. Council did inform Mr. Kohler that we could not restrict the courts to Borough residents. Chief Havas also informed Mr. Kohler that in order to cite someone for the trash or bad language he would need someone to testify to that charge, in order to proceed with any citation. Mrs. Chaney stated that these are also concerns of the Diamond Playground.

Mr. Getty was the next visitor to express his concerns about the playground. Mr. Glass asked if it would be permissible to answer all Mr. Getty's concerns as we did with Dr. Hanzel, so all the residents could hear the same discussion and answers. Mr. Glass continued with item # 1 of Mr. Getty's letter, referring to the comparison of the site planning for the Stutzman playground and plan for the Diamond Playground. The concern is that the property owners of the proposed playground purchased their homes many years ago with reliance on the natural and park like setting of the area, with the one exception of the "corrugated shed" and the "maintenance yard" for the Municipality to use as a Christmas tree dump, mulch pile storage, and to use for other miscellaneous debris gathered from throughout the Borough. Mr. Glass informed the residents that the plan is to put fill in the rear of the building and use that area for the mulch pile. The collection of the Christmas trees is done during the months of January and early February and then the trees are chipped up by mid February, weather permitting. Mr. Getty suggested that possibly arborvitae be placed up along the shed.

On another subject Mr. Getty questioned the fact that he or any other property owners in the proposed site area were never asked about a playground in the park area. Mr. Getty reported that at a recent Recreation Commission meeting the Upper Yoder Committee stated they were approached. Solicitor Lovette reported that Upper Yoder had 5 sites or entities who wanted the playground. Mr. Koval continued that the petition was to determine that the Elim site would be chosen, not did they want a playground? Mr. Getty felt that each resident should have been notified of the playground. Solicitor Lovette informed the residents that the Borough has no legal duty to give notice in that situation.

Mr. Glass apologized for the Borough Council never considering that notification. They never thought there would be a problem with a playground. Again, Mr. Getty asked if there would be any consideration to moving the site. Council agreed that considerations of the residents was the purpose of reviewing each of these concerns.

Mr. Koval reported that the Committee did talk with several people in the area and there were no negative reviews. Mr. Rocco asked who these residents were. Mr. Koval preferred to withhold the names because of possible retaliation. Item # 2 of Mr. Getty's letter referred to the drainage problem, and Mr. Glass asked Mr. Getty if he was satisfied with the Engineer drawings on this? The only question Mr. Getty had was if this drawing will be submitted to the County for approval. Mr. Walker stated that it would be submitted. Mr. Getty feels there is a premature movement, for bidding equipment, and excavating before there is approval. Another question is about an agreement or lease for the playground site. Solicitor Lovette indicated that there would be no separate agreement. The Recreation Commission is a responsible Commission which will be responsible for the Recreation on Borough owned property. The Recreation Commission will be responsible for the maintenance of the sites, as they are for other recreational sites in the three municipalities.

Mr. Getty has concerns with the parking along Diamond Blvd. Mr. Glass has looked at the area opposite the homes on Diamond, and he feels there is adequate parking for about 16 cars on the Playground side of Diamond Blvd. Mr. Glass asked Chief Havas to report on his findings on the traffic concerns as stated in Mr. Getty's letter. Mr. Getty's letter states that "Diamond Blvd. is the most heavily traveled road in the Borough". Also Mr. Getty made a statement to the fact that someone is going to have to drive to any playground site selected and parking and traffic control should be a factor. Mr. Glass had requested that the Police Department look into this statement. Chief Havas surveyed the situation on 5 consecutive days. The Chief has data on the survey he took and it will be on file. Chief Havas reported that there was no excessive amount of traffic, and only two traffic arrest made during these peak times. During the survey there was no traffic in Okra alley, as speeding in that alley had been mention at a previous meeting. A speeding arrest can only be issued if you go 10 miles over the speed limit, Chief Havas informed the residents.

Chief Havas will do another survey using the times Mr. Getty suggested. (This survey is in reference to items, #3,#4,#6,#7,#8,#9) Mr. Glass felt item # 5 was not an issue. Item #10, refers to a sanitation facility and Mr. Getty feels Wren Street would be a better place to put such a facility, as it is less visible to any residential dwellings. The "low profile of Wren Street would allow installation of safety fencing, lighting, and further expansion without interruption", such as is proposed on Diamond Blvd. No facilities are planned at either of these playground sites. Mr. Glass asked Mr. Getty to tell us just what he would propose for Wren Street. Mr. Getty diagramed for the Council taking out the basketball courts, put in additional parking, put up a fence, cover the entire area with chips and put an oval driveway around the area. Mr. Koval asked how many cars could park or pass around each other while using the playground. Mr. Getty felt two lanes could be put in one to park and one to pass thru. After looking a second time at Wren Street, Mr. Koval agreed there is approximately 2 acres of property, at this site, however, there is only about 10,542 sq. ft. that can be developed for a playground. The rest is not suitable for development. There is a blind entrance to the playground, along with a 35' drop off on one end, and a hillside on the other side. The entrance road into the Wren Street site is only one lane, no available space to widen the road. The traffic on Southmont Blvd. is also a consideration being this is actually a heavily traveled road. Mr. Glass informed Mr. Getty that there is no control on who can use a public playground, as indicated in item #11. Item #12 reference costs involved to prepare the Diamond site would be under \$4,000. This would not be so at the Wren Street site, as per the suggestions.

There is some concerns that trees are going to be disturbed, Council assured the residents that this is not the intention of the Committee or the Borough.

Mr. Getty referred to playgrounds that have been removed. One being at the Harding Street location where there is an apartment building now. And the other is where Portage Bank now has a parking area on Thoburn Street. Both of which were on blacktop and would no longer be acceptable for a playground. Mr. Glass also has provided the Recreation Commissions attendance of the playgrounds on file if any one is interested. Wren Street playground has one of the lower attendance records and Council feels it because of the change in demographics in the area or location of the playground. After all items in Mr. Getty's letter were reviewed the March Council meeting continued. (Mr. Getty's letter will be attached to the minutes)

Mr. Manganello had several of his questions answered, the only other problem he has is that nobody was notified. He is also concerned with the possibility of sewage or lead in the springs. He thought some of the main could be leaking. Mr. Glass said Council would take his comments into consideration. Council continued.

Mr. Glass asked if there were any other comments, Mrs. Chaney had one comment on the Olive Street dip and the safety of the small children.

Mr. Rodgers made a motion for this March 20, 1995 meeting only, that we skip over agenda items 5,6,7,and 9, unless action must be taken tonight. Motion seconded by Mr. Kory. All in favor, motion carried.

Mr. Pile left at 9:10 p.m., he was sick.

POLICE CHIEF'S REPORT

Chief's written monthly report and year end report is on file. Revenues for the month of February \$374.78. No other report

HILLTOP AMBULANCE REPORT

No report

ZONING OFFICERS REPORT:

Written report records, 1 permit issued for this month, to Westmont Borough for a sign for leaf recycling operations. Fees waived.

ENGINEER'S REPORT

Mr. Walker reviewed with Council the Lockwood disk received this week with the revised changes. It seems that the added areas have been done and they will add them to the maps. Mr. Glass is reviewing the numbering part of the map, and he should be done within the next week for the Engineers to revise again. Mr. Walker would like authorization to submit the final drainage drawings of the Playground site to the County, for approval. He would expect the approval in about 3 weeks. A motion by Mr. Rodgers to submit the drawings to the County for approval. Seconded by Mr. Kory, all in favor, motion carried.

Mr. Walker had contacted a contractor to excavate the playground area and received a quote of \$3,9995. After discussion, a motion was made by Mr. Danyluk to rescind doing the excavation at the Park site with Borough forces, and to accept quotes from up to three contractors and to contract for a price not to exceed \$4,000. Seconded by Mr. Rodgers. Mr. Rodgers had a question. He wanted to clarify that Borough forces could do the work but we do not have proper equipment or the time to do the excavating and handle regular job duties. We want to have the least amount of run-off in this area. Mr. Rodgers further wanted everyone to understand that we are excavating a tiny tot playground area, kids from 2-12, and we not taking about nature trails, no volleyball courts, and no additional pavilions. Mr. Rodgers was concerned for the residents and for the playground commitment. All in favor, Mr. Pile and Mr. Leventry absent. Motion carried.

FIRE COMPANY REPORT

The Fire Company's written report records eleven members attended 26 fire training sessions. The Fire Department replaced ceiling panels in the meeting room. The roof leaked during the snow and rain last month. (Mr. Bosley has since tarred the holes again) The Fire Company has submitted the activities list for the Borough and Worker's Comp. review.

COMMITTEE REPORTS

STREET COMMISSIONER'S REPORT

Mr. Bosley's written report records that Christmas trees have been chipped . Installed fireproof drywall under the stairway, inside the breaker closet, where all the main shutoff and siren controls are located. Removed dead trees on Stillray Street. Repaired and replaced several signs throughout the Borough. Began digging for a new sanitary sewer for the new townhouses on Edward Street. Manhole and pipe has been ordered. Completed painting the hallway, stairway and lower entrance. The new one and a half ton truck was received March 14, 1995.

STREET COMMITTEE

No report

ADMINISTRATION & PERSONNEL COMMITTEE

The Personnel Committee met during the month and made a recommendation to appoint Larry Koval to the Recreation Commission. Mr. Rodgers made a motion to approved the recommendation of Mr. Koval for a 3 year term to begin April 1, 1995 and to expire March 31, 1998. Seconded by Mr. Danyluk. Motion carried. A letter will be written to the Recreation Commission.

RECYCLING COMMITTEE

Mr. Danyluk reported on the COG meeting in reference to Mr. Dave Lester's presentation of the magazine and newspaper proposed collection. There would be additional credits to each municipality for the amount of tonnage collected in their area. There will be more information on this at later time. The credit for the month of February was \$74.24 for 2.32 tons of recyclable materials. This helps to keep the costs lower.

POLICE COMMISSION/COMMITTEE

Mayor Morgan reported that the new part time officers are on staff at West Hills. Vascar units are in use. Negotiations will be beginning soon for a new contract with Southmont and the Commission. The new chairman of the Police Commission is Paul Hornick of Brownstown.

INSURANCE COMMITTEE

Mr. Kory reviewed the quotes from Brett Insurance for the Public Employees Bond in the amount of \$257.00 and FWF Insurance on the liability package in the amount of \$9,727.00. The Public Employees package is down from last year and the Liability package is up slightly, however we have added the recycling trailer. A motion by Mr. Kory to accept the Insurance quote of \$9727.00 for the liability package and the quote of \$257.00 for the Employees bond from Brett Insurance. Seconded by Mr. Rodgers. All in favor, motion carried. The Committee will look for additional quotes next year.

BUDGET COMMITTEE

Mr. Rodgers reported the Budget is good. Mr. Rodgers attended a Finance seminar in Altoona and Mrs. Czyrnik attended the seminar in Bedford. Both were evening workshops.

SHADE TREE

Mr. Krupa reported that April 29, 1995, @ 10:00 was set for the Arbor Day celebration. The Committee will meet again tomorrow at the Recycling Center to review the Arbor Day program. Shrubs and trees will be planted around the center this year. Articles have been submitted for the Kindred Spirit newsletter, for publication in mid to late April. The tree removal program will be starting soon.

RECREATION COMMISSION

President Glass asked Mr. Koval, in the absence of Mr. Pile, if the Committee felt there would be any recommendation to change the proposed site. Mr. Koval stated that after reviewing for a second time the Committee still feels that the decision for the Diamond Playground is the best site. With cooperation of the Borough residents they feel they can make it work.

President Glass ask Council if there is a recommendation to rescind their original motion for the site, based on the meeting and recommendations at tonight's meeting. Mr. Rodgers had questions addressed to Mr. Koval, if the Committee had considered the input from the letters Council received from the concerned residents. Mr. Koval did read the concerns and hear them at the two informational meetings held by the Playground Committee. Mr. Rodgers wanted to confirm that the beauty of the park would be retained, that this was a playground for 2-12 year olds not beyond the tot area, no sanitation facilities, that no additional extensions or expansions, no trails and dusk to dawn lights or flashing lights, etc. Mr. Koval explained that because of the grant and the completion with Upper Yoder the initial plan was for more of a recreational site, rather than a 2-12 year old playground. It was a wish list for consideration. Mr. Danyluk and Mr. Rodgers commended the Playground Committee for their initiative for the development of this playground. Mr. Rodgers reminded members of Council that about a year or so ago the Planning Commission had recommended that the park area be turned into housing. Council at that time decided against that recommendation. Mr. Danyluk and Mr. Rodgers also agreed that it was an oversight of the Council and not the Committee's who are volunteers working hard to provide a solution, and he apologized again to the residents for not informing them better. Mr. Krupa will take the State Forester up to the park to check the trees in the area, for possible root damage.

After discussion, and hearing no motion to rescind the original motion the playground site will remain in place, unless unforeseen problems arise. A written Playground Committee report was submitted to Council.

CABLE TV COMMITTEE

Mr. Rodgers asked Mayor Morgan who is active in the negotiation of the franchise to report. Two meetings were held, the proposed ordinance was reviewed with the local Time Warner Cable manager and the Western PA. Cable manager. The cable provider has some questions about the ordinance. The Consultant from Washington has also attended these meetings. The talks will continue.

CHAPIN ARCH COMMITTEE

Mr. Kory reviewed with Council the results of the meeting with Penn Dot in reference to Penn Dot paving the Arch area as an add on to their paving of Menoher. The proposal from Penn Dot is for some renovation around the Arch, including 4 parking spaces and an award of \$10,000 towards the project. The estimated costs of the project are between \$15,000 and \$20,000, for paving. Our contribution would be anything over the \$10,000. This does not include any work on the Arch itself. We have \$7,000. in the budget for restoration of the Arch. The estimated costs to restore the Arch are \$5,000. The projected costs for Southmont Borough for all of the paving and restoration work would be \$12,000 to \$15,000.

With the \$7,000 in the budget, it would probably be an additional \$4,000 to \$5,000 for the completion and beautification of the project. Mr. Kory has been in contact with Cemetery Association and received a positive attitude. Mr. Kory has not discussed any contribution from the Cemetery for the proposed beautification.

Mayor Morgan stated that we could forgo the proposed 4 car parking sites and just renovate and restore the Arch for a landmark. Mr. Glass reported that Penn Dot wants to give (sell) us the land where the Arch stands, however, this property originally belonged to the Cemetery Association. We feel it would be better to let the Cemetery retrieve the property and we then go ahead with the site restoration. Nothing can be done until the property ownership is finalized. The property of the Arch sits on Penn Dot right-of-way in the middle of the Cemetery's property, they should be the rightful owners. Mr. Kory will get more detail, price and costs ready for the next Council meeting. Mr. Kory wanted Council to be aware that with this proposal, we have \$17,000 for this project, with Penn Dot's grant and our budget figures for the Arch.

C.O.G REPORT

Mr. Danyluk reported that estimates were sent in for COG bidding on gasoline and materials for the Spring bids. Salt and antiskid estimates will be sent in the Fall for bidding. COG is continuing with the plans on getting a grant to purchase the street sweeper/cleaner. No other report. Mr. Dave Lester of Paper Incorporated spoke at the COG meeting with reference to placing paper collection bins in the area for the collection of newspapers and magazines. Municipalities will be given credit for the grant reimbursements and possibly money refunds if the price of the paper continues to be profitable.

MAYOR'S REPORT

No report.

SOLICITOR'S REPORT

Solicitor Lovette reported on the Kenney proposal and a letter from Attorney Horner. Mr. Kenney is concentrating on a curb cut entrance on State Street and to move a catch basin. Solicitor Lovette recommended that we get an estimate of the costs to do this and submit that to Mr. Kenney and when this is paid, we will do the work. We need to authorize Solicitor Lovette to proceed, these costs should be passed on to Mr. Kenney. It was discussed and a motion was made by Mr. Kory to get an estimate of contractors cost of moving the curb cut and move the catch basin and submit to Solicitor Lovette to proceed. Seconded by Mr. Krupa. All favor, motion carried. Absent Mr. Leventry, Mr. Pile. Solicitor Lovette felt that we really had no responsibility to resolve this problem. If Mr. Kenney pays the cost in advance, we will proceed with the solution. Mr. Bosley will also prepare a cost for the Borough to do the work. Council all agreed. No other questions. Mr. Rodgers really would like to resolve the problem.

Mr. Glass asked Mr. Getty to address his objections about the Borough Guidelines. Mr. Getty thinks the guidelines are "dumb" and he appreciated that tonight's Council allowed the residents more time to address their concerns and oppositions on the playground. The guidelines are recommendations made by PSAB and adopted by Council at the January 1993 meeting of Council.

SECRETARY'S REPORT

Mrs. Czyrnik written report submitted to Council records a letter from Mr. Pullen, in reference to the decision of Council to remove the right turn sign on Menoher at Gardner Street. Mr. Pullen opposed the removal because it would stop traffic on the major highway, thereby interfering with the traffic flow. Penn Dot stated that the sign could be removed or left in effect, it is a decision that can be made by the Municipality. Mr. Danyluk and Mr. Pullen discussed the situation however, Mr. Danyluk still felt there would not be any adverse effect because the sign was removed. Mr. Glass asked Council if there would be any motion to rescind the removal of the "No Right Turn". No motion was made, the sign will be removed.

Mr. Leventry and Mr. Krupa were appointed to represent Southmont at the annual United Way meeting May 21, 1995. Mr. Krupa will attend the Cambria County Borough's Association dinner on April 18, 1995. Mr. Kory might be able to attend. A motion to accept the Spring Clean-up schedule of May 2 and May 4, 1995 was made by Mr. Danyluk and seconded by Mr. Rodgers. All in favor, motion carried. The clean-up will be advertised.

Two requests were discussed, for one to vacate a portion of Okra Alley and another to accept a portion of Bluff Street. The Bluff Alley request was referred to the Street Committee by Mr. Rodgers and Mr. Kory. No action until the April meeting.

A resident's claim for damages on an incident that happened on February 25, 1995, has been turned over to the Insurance Company. The Fire Company's additional activities list was reviewed by Council and Mr. Rodgers felt several items were very broad and Council felt we should get verification on the "goodwill functions" Council recommended the list to be reviewed by H. A. Thompson (comp. agent), before the the list is accepted. Another item that needs answered is if the the Ladies Auxiliary is covered. The Secretary will call H. A. Thompson for clarifications on these questions. It was tabled until the April meeting.

After discussion and review of the new recommendations for the Sunshine Law and advertisement of such, a motion was made by Mr. Kory to approve advertising the regular meeting schedule as the third Monday of each month and the Committee or Special meeting schedule as the second Tuesday and third Wednesday of each month. Motion seconded by Mr. Danyluk All in favor, motion carried.

TREASURER'S REPORT

Mrs. Czyrnik's written report records a final balance of \$191,371.85 in the General Fund for February 1995. Approved by Mr. Rodgers, seconded by Mr. Danyluk. Roll call: Mr. Rodgers, Mr. Danyluk, Mr. Krupa, Mr. Kory and Mr. Glass. All in favor, opposed none. Mr. Leventry and Mr. Pile absent.

TAX COLLECTOR'S REPORT

Mr. Quinn's written report records Real Estate collections for February at \$11,057.22 and Per Capita \$236.50 for a total of \$11,293.72. Mr. Quinn submitted a list of the Real Estate returned to the County for collection.

APPROVAL TO PAY THE BILLS

A motion to pay the bills in the amount of \$55266.96 was made by Mr. Danyluk seconded Mr. Krupa. Roll call: Mr. Rodgers, Mr. Danyluk, Mr. Krupa, Mr. Kory and Mr. Glass. All in favor, opposed none. Mr. Leventry and Mr. Pile absent.

UNFINISHED BUSINESS

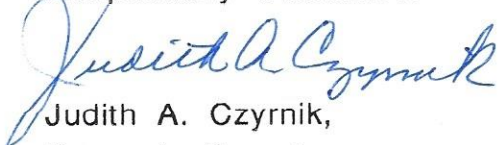
The PSAB Annual Conference June 25, 26, 27 and 28. Please notify Secretary if interested. Mr. Danyluk made a motion for Mr. Rodgers to attend a Workshop April 4, 1995 in Altoona, for Municipal Secretaries and Administrators. Seconded by Mr. Krupa. Motion carried. Workers comp and Fair Labor Standards are the subjects.

NEW BUSINESS

A request from the United Way of Greater Johnstown in reference to the job and educational programs being considered for eliminations. The request to write letters to local Federal Representatives to continue funding for these summer programs. Mr. Glass thanked the residents for their input in tonight's meeting and ask that they continue to be interested in the Borough government. Mr. Rocco questioned the leaves killing the trees along Diamond Blvd., and if they could put nesting boxes for different kinds of birds, in the Borough park. President Glass suggested Mr. Rocco get the information for this project and work with Mr. Krupa for the trees in the park. Dr. Hanzel thanked Council for reviewing his letter and providing proper drainage for the proposed park.

There being no further business, Mr. Kory made a motion to adjourn the March meeting of Council at 10:47 p.m.

Respectfully submitted.



Judith A. Czyrnik,
Borough Secretary