

MINUTES
BOROUGH OF SOUTHMONT
March 15, 1999, 7:00 p.m.

The regularly scheduled March Council meeting was called to order by President Pile at 7:00 p.m. After the pledge to the flag, the March 15, 1999 meeting of Council convened.

PRESENT: President Pile, Mr. Rodgers, Mr. Rovansek, Mr. Krupa, Mr. Strittmatter, Mr. Leventry, Mayor Lary Koval, Engineer: Dave Duray, Solicitor: Daniel R. Lovette, Secretary: Judith Czyrnik, West Hills Police: Chief Andy Havas, Zoning Officer: Fred Pullen, and Fire Department: Michael Butler

ABSENT: Mr. Kory, Street Commissioner: Jan Bosley,

VISITORS: J. M. Moses 3276 Menoher Blvd. Sheila Harris 1631 Christopher Street

President Pile asked for approval of the February 15, 1999 and March 2, 1999 Committee meeting issues. A motion was made by Mr. Rodgers to accept the minutes as written. Seconded by Mr. Krupa. All in favor, motion carried.

VISITORS

President Pile called on Dr. Moses and Ms. Sheila Harris at this time. Dr. Moses was interested in Thoburn Alley (Chicken Path) and what the Borough's position is on this alley. Dr. Moses is considering purchasing a parcel of property at 120 Gardner Street. In order to access this property he would need to use a section of Thoburn Alley. Currently the alley is being used by Dr. Kastelic as a driveway. The alley is still open to anyone using it to Gardner Street and for children as a short cut to the Middle School. Council explained that Thoburn Alley is a 16' alley that has been on the Borough plot plan for over a 21 year period, therefore if unused or unaccepted by the Borough it becomes the abutting property owners property. Dr. Kastelic has signed an easement for the section of the alley that has utilities, in the event the Borough would have to dig up the alley for any problems. Solicitor Lovette outlined the code on unused alleys, and suggested that Dr. Moses have the section of the Walters property surveyed and one half of the alley could be used to access the lower portion of the Walters property at 120 Gardner Street.

POLICE CHIEF'S REPORT

Chief Havas's written report records revenues for the month of February were \$584.16. Chief Havas reported that Officer Phil safety programs will be presented to the elementary schools in the area later in the year. An emergency drill will be held at the Middle School, Our Mother Of Sorrow's and Ferndale Elementary on March 23, 1999. This drill will be presented by Emergency Management of Cambria County. Council received a letter from Hilltop Middle School Action Team in reference to Southmont Borough plowing sidewalks along Menoher Blvd., during heavy snow storms. Students are walking on Menoher Highway because sidewalks are impassable. Southmont does not have a snow ordinance that deals with sidewalks. Westmont also received this letter and will direct a letter to the School District. We will coordinate a response with Westmont Borough.

Solicitor Lovette reviewed a Civil Action Suit notifying West Hills Police Commission of a possible action against the Department. It has been filed with the Commissions legal department and no further action is necessary. Chief Havas was asked to reply on the possibility of the Cambria Somerset Council of Governments being involved with an domestic and wildlife animal control. Chief Havas reported that the Department has no facility to house dogs until the owner is found. After discussion Chief Havas and Council agreed that COG should move forward on a shared service program for both domestic and wildlife control.

ZONING OFFICER'S REPORT

Mr. Pullen's written report records only one (1) permit issued during the month. The estimated year to date construction cost is \$129,183.00. Mr. Bowser's permit for a new house on Bluff Street indicates that he is assuming 8' of the 16' Brair Alley. The remaining 8' will presumably go to Mr. Dave Wilkinson of 570 Harshberger Street. Briar Alley was vacated in April of 1953, Ordinance No. 163. In reference to the Codification, Mr. Pullen reviewed with Council that the Zoning Officers duties only apply to the external alterations to a building, nothing internal.

Solicitor Lovette will review the Solid Waste Ordinance #378 with reference to the dumping of debris on the Haidar property at 1070 Luzerne Street and report for next months meeting.

FIRE COMPANY REPORT

Chief Butler reported on the written report submitted for February. There were 13 emergency run and/or assists during the month. The fire loss for the month was \$50.00. One member attended an Instructors seminar held at the Pennsylvania State Fire Academy in Lewistown. Chief Butler reported that the Fire Co. does not become involved with codes, other than codes the Borough adopts. He feels it would be up to the Borough if the code should be updated. Mr. Rodgers cautioned Council about fire code requirements and if the Borough should be involved on these requirements. Chief Butler reported that the Jubilee will be held a week earlier from May 24 to May 29, 1999. There was a mix up with the ride company. Preparation will begin in April for the Jubilee. At the Committee Meeting March 2, 1999 Council took a tour of the Fire Company's old garage, social room, storage and new garage area. The Fire Company plans to use the old garage space for storage of some equipment and hose now stored upstairs behind their computer room. Council had considered the space for use of the Borough Street Department, however will now continue with the recommendations previously submitted to modify the Borough building to provide an additional garage area. A brief discussion was held on the pager/siren tone results. The testing was not successful to date and more research will be done.

ENGINEER'S REPORT

Mr. Dave Duray of Hinks & Locher Engineers referred to several items of correspondence in the month. Letters were sent to C & D Associates informing them of a portion of the holding pond embankment slide and a letter informing them that calculations will need to be reviewed before riprap can be installed in the area.

Mr. Duray also reported on a letter sent to Lino's Restaurant where an access road has been constructed to the former tennis court. Hinks & Locher advised them that the possible increase of storm water run off from their property will need to be controlled. Mr. Duray also reported that the 1998 Annual Wasteload Management Report was completed and forwarded to the Department of Environmental Protection and Johnstown Redevelopment Authority. Five new EDU's have been requested for 1999. Mr. Duray received a call from PennDot representative Dave Sherman, some minor changes will need to be made at Chapin Arch. Possible Spring bidding for this project. The specifications have been completed for the Storage Shed at the soccer/ballfield. A motion was made by Mr. Rodgers to advertise and open the bids for the Storage Shed at the April meeting. Seconded by Mr. Krupa. All in favor, motion carried. Kory absent. Mr. Duray recommended that the Street Committee set the Street Inspection date for sometime in April.

COMMITTEE REPORTS

STREET COMMISSIONER

In Mr. Bosley's absence the written reports records basic cleaning on the Building. Streets and alleys were plowed and salted numerous times throughout the month. Performed routine maintenance on all vehicles and equipment. Took recycling trailer to Boswell weekly. Finished picking up Christmas trees. Patched a few potholes, and picked up gravel swept up by residents. Removed unusable ceiling vents in main floor restrooms. Began preparations for painting restrooms and painted trim in the hallways. Cleaned paneling in Council room and offices. Scraped and painted rusty sign posts to be re-used. Had recycling trailer repaired and painted. Mr. Jim Carbaugh is still on light duty work, as recommended by Council at the February meeting. Council discussed the remodeling project for the Street Department garage. A motion was made by Mr. Krupa to approve the garage area remodeling as per drawing submitted by Mr. Bosley, up to \$3,000.00. Mr. Leventry seconded the motion. All in favor, motion carried. Kory absent. President Pile commended the Street Departments performance during the snow storm on 3-14-99. Many residents complimented the Department. Mr. Leventry reported on the plow on the 1998 truck, there still is a problem with a crack in the frame.

STREET COMMITTEE

Mr. Leventry set the Street Inspection date for April 6, 1999 at 1:30 p.m. The Street Committee, Mr. Bosley and the Engineers will do the inspection. Council is awaiting confirmation on a meeting with Upper Yoder Township Sewer Authority. The meeting is set for April 13, 1999 at 7:00, to discuss the sewer rental fee increase. There are several other items Council wishes to discuss with the Upper Yoder Township Commissioners. Another meeting to discuss these items will be arranged at a later date.

ADMINISTRATION & PERSONNEL COMMITTEE

Mr. Strittmatter reported on the Personnel meeting with Street Commissioner, Jan Bosley. Mr. Bosley submitted his evaluations of the employees in the Street Department. After review, some discussion was held on issuing warnings to employees who are insubordinate or do not follow the workrules. Warnings must be written and put in the employees personnel file. The Committee asked Mr. Bosley to submit a plan of action for better job performances and duties. The Committee will begin planning for the current union contract that expires 12-31-99. On a recommendation, the Borough Workrules will be updated.

POLICE COMMISSION

Mayor Koval reported there is a Police Commission meeting on March 16, 1999 at Westmont Municipal Building. Mr. Rodgers made a motion to re-appoint Mr. Leventry as the alternate to the West Hills Police Commission. Motion seconded by Mr. Strittmatter. All in favor, motion carried. Kory absent. Mr. Leventry will attend the meeting in place of Mayor Koval. The West Hills Police Commission will be notified. Mr. Rodgers made a motion to approve Mayor Koval as the negotiator for the upcoming police contract. Seconded by Mr. Leventry. All in favor, motion carried.

RECYCLING COMMITTEE

Monthly recycling chart is on file.

INSURANCE COMMITTEE

In Mr. Kory's absence, Mr. Rodgers made a motion to approve that the 1999-2000 PIRMA Insurance renewal for General, Auto, Property, Inland Marine and Public Officials Insurance in the total amount of \$8712.21. Seconded by Mr. Krupa. All in favor, motion carried. The traffic light at Luzerne Street and Menoher Blvd. and the older leaf machine are new additional to the insurance coverage. No other report.

BUDGET COMMITTEE

No report.

SHADE TREE

Mr. Krupa reported on a tree that fell in a snow storm at 7 Gardner Street. Mr. Krupa has been in touch with the property owner and an agreement has been signed for replacement of trees after the damaged tree is removed. Arbor Day will be held on April 24, 1999 and celebration details will be discussed at the March 16, 1999 meeting. Locations of trees to be planted will also be discussed.

RECREATION/PLAYGROUND COMMITTEE

Mayor Koval reported that the February 24, 1999 minutes are on file. The Commission is working on determining what properties are owned by each entity and used by the Recreation Commission and what repairs are necessary. Ms. Troyan will report at the next meeting on the repairs and improvements made in the last five years and who paid for them. Long range plans will be reviewed.

BUILDING /GROUNDS COMMITTEE

No report.

C.O.G. COMMITTEE

Mr. Rovansek reviewed the survey requested by Cambria Somerset COG. The Secretary will complete and mail.

CHAPIN ARCH

No report until Spring.

MAYOR'S REPORT

Mayor Koval reported on the proclamation and flowers delivered to Mrs. Lydia Reese on February 20, 1999 for her 100th birthday. She was pleased and thanked the Borough for their wishes. Mayor Koval will attend an Emergency Management Association quarterly training session on March 16, 1999.

SOLICITOR

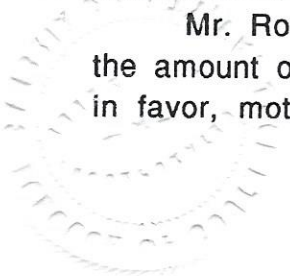
Solicitor Lovette had nothing to report on the Merlo hedge/sidewalk issue. Solicitor Lovette reviewed the items Council referred to him for the codification completion per the December 1, 1998 from Mr. Rotz of Penn's Valley Publishers. All items will be changed as per Solicitor Lovette's recommendations.

SECRETARY'S REPORT

Mrs. Czynnik's report records that Ben Craig a student of the Westmont Hilltop School District worked from January 28, until March 12, 1999, while Cindy was on medical leave. A letter was sent to Westmont School District thanking them for their cooperation in work program. Cindy is to be back to work March 16, 1999. Mr. Rodgers approved the purchase of a paper shredder. Seconded by Mr. Krupa. All in favor, motion carried. Kory absent. A motion was made by Mr. Rodgers to approve Resolution 99-04 for the disposition of records. Seconded by Mr. Krupa. All in favor, motion carried. A motion was made by Mr. Rodgers to approve Mr. Robert Griffith, Mr. Paul Sheesley and Mr. William Krupa to serve on the Tax Appeal Board, each to a three year term. Motion continues, one member of Council is to serve on the Tax Appeal Board. Seconded by Mr. Strittmatter. All in favor, motion carried. Mr. Rodgers made a motion to appoint Mr. William Krupa and Mrs. Czynnik as delegates to attend the Greater Johnstown United Way annual meeting on May 26, 1999. Seconded by Mr. Strittmatter. All in favor, motion carried. Fire Chief Butler recommended Council to adopt the Basic Fire Prevention Codes # 10. Council will check on clarification on this code with our Liability carrier.

TREASURER'S REPORT

Mr. Rodgers moved to approve the Treasurer's report for the month of February in the amount of \$255,934.81 in the General Fund balance. Seconded by Mr. Leventry. All in favor, motion carried.



TAX COLLECTOR

Mr. Quinn's written report for the January Report records \$3,622.99 in Real Estate collections and \$225.50 in collections for Per Capita. The Tax Collector's Report records a list of the 1998 taxes returned to the County for nonpayment. Mr. Rodgers moved that we receive the Tax Collector's report, seconded by Mr. Leventry. All in favor, motion carried.

APPROVAL TO PAY THE BILLS

After review, a motion was made by Mr. Strittmatter to approve the Payment of the Bills in the amount of \$30,249.41. Seconded by Mr. Krupa. Roll Call; Rodgers, Rovansek, Strittmatter, Krupa, Leventry and Pile. All in favor, opposed none. Kory absent.

OLD BUSINESS

Items on the "Tickler List" were discussed. Items were reviewed, removed or re-listed. President Pile set a Committee meeting for April 13, 1999 after Council meets with Upper Yoder Sewer Authority, to discuss some questions on PennDot, Wren Street property, Solid Waste Ordinance and other items.

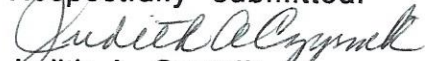
NEW BUSINESS

On a request from the Johnstown Garden Club to do additional work on the lower side of Menoher Blvd./Barnett Street intersection. Council recommend that they present the proposed plan to Council for approval. They will still need PennDot approval. A letter will be sent to Westmont School District in reference to a snow bus schedule for students who are within walking distance of the Middle School, during the heavy snow periods. After further discussion, Mr. Rodgers made a motion to approve the charging rate fees for service, when so directed by Council Borough. Forces assigned to perform other than normal duties shall incur the following charges. The current hourly rate for both men and equipment plus a 20% contingency fee for same. A four hour minimum charge will apply, in addition a \$100.00 Administrative fee will be included with these costs. Mr. Rodgers motion continues to approve the Solicitor to prepare the ordinance and advertise. Seconded by Mr. Strittmatter. The Borough is not to be construed as a private contractor.

No member of Council will attend the PSAB Annual Spring Convention in Harrisburg March 21-23. No Council member will attend the annual Cambria County Borough's Association dinner on April 20, 1999.

A motion was made by Mr. Rodgers to adjourn the March meeting, motion was seconded by Mr. Leventry. Council adjourned 9:20 p.m.

Respectfully submitted.


Judith A. Czynnik,
Borough Secretary

