

MINUTES  
BOROUGH OF SOUTHMONT  
August 17, 1998 7:00 p.m.

The regularly scheduled August Council meeting was called to order by President Pile at 7:00 p.m. After the pledge to the flag, the August 17, 1998 meeting of Council convened.

PRESENT: President Pile, Mr. Rodgers, Mr. Leventry, Mr. Rovansek, Mr. Krupa , Mr. Kory, Mr. Strittmatter, Engineer: Dave Duray, Secretary: Judith Czyrnik, West Hills Police: Chief Andy Havas, Solicitor: Daniel R. Lovette, Fire Department: Fire Chief Michael Butler and Zoning Officer: Fred Pullen (8:05p.m.).

ABSENT:

VISITORS: Dr. Richard Kastelic 56 Gardner Street

President Pile asked for approval of the July 20, 1998 minutes . A motion was made by Mr. Krupa to accept the minutes as written. Seconded by Mr. Strittmatter. All in favor, motion carried.

At this time, a motion was made by Mr. Rodgers to open the bids for the Southmont Blvd. Retaining Wall Construction. Seconded by Mr. Rovansek. All in favor, motion carried. There were six bidders for the project.

#1 Upon this Rock	\$109,750.00
#2 Charles Merlo, Inc.	\$108,945.00
#3 John Gulisek Const.	\$ 80,037.00
#4 Frank M. Sheesley Co.	\$ 59,361.00
#5 Capital Const.	\$ 74,199.00
#6 BCS Const.	\$ 89,620.00

The apparent low bidder was Frank M. Sheesley in the amount of \$59,361.00. Solicitor Lovette and Mr. Duray reviewed all the bids submitted. While they reviewed the bids, Council continued with the meeting. After Solicitor Lovette and Mr. Duray reviewed the bids, a motion was made by Mr. Rodgers to accept the low bid from Frank M. Sheesley in the amount of \$59,361.00, pending further review by the Engineer and the Solicitor. Seconded by Mr. Rovansek. Roll call: Rodgers, Rovansek, Strittmatter, Krupa, Kory, Leventry, Pile, all in favor, opposed none. Motion carried.

POLICE CHIEF'S REPORT

Chief Havas reviewed the written report submitted. Revenue for the month of July were \$887.68. Chief Havas reported that the Department coordinated a "gun lock " program. Some locks are still available at \$3.00 each. Another program is being offered for invisible marking pens for sale to the public at \$2.00 each.

These markers are only visible with a black light. They can be used to mark valuable property.

Officer Watts received awards from Senator Wozniak for his response and valor at the house fire at 2000 Menoher Blvd. The Volunteer Fireman's Association of Cambria County and Cambria County Commissioners also had awards presented to Officer Watts. Also, a citation certificate from The Commonwealth of PA House of Representatives and a certificate of congratulations from the Senate of Pennsylvania was presented. A traffic accident on Menoher Blvd., across from Susan Drive happened while two vendors (farmers) were selling vegetables. Mr. Rodgers suggested that we look into the location and the vendors selling along the highway.

#### ZONING OFFICER'S REPORT

Mr. Pullen's written report records 9 new permits were issued since the July meeting, with an estimated construction cost of \$43,045.00. The year to date estimated construction total is \$975,274.00. Some progress has been made on the property at the Haidar property at 1070 Luzerne Street. Siding has been installed on the efficiency apartment. Concrete slabs removed and rubble has not been covered as agreed to at the Magistrates Hearing, May 13, 1998. Mr. Charles Glass is preparing a letter to Attorney Kiniry requesting the hearing be reconvened to clean up the loose ends.

Dr. Richard Kastelic has requested Council to allow him to pave a section of Thoburn Alley ("chicken path") to be used as an access to the lower driveway area of his property. The alley does not serve any other property but the 56 Gardner Street address. After discussion, a motion was made by Mr. Kory to approve the paving of the alley. Seconded by Mr. Rovansek. All in favor, contingent on the letter from Council. Dr. Kastelic will receive a letter informing him of Council approval, and to verify that if any work needs to be done in this alley it would be at his expense. Dr. Kastelic fully understands this.

On another request, Dr. Kastelic is interested in purchasing the property known as the "Waters Property", along side his property on Gardner Street. As per the deed, the property was given to the Borough and was to remain as a parklet type area. Solicitor Lovette will need to research the agreements, deed and/or will to see if the property can be sold. According to Borough Code, Section 1201 the property would need to be appraised and a value placed on the property. First, Solicitor Lovette will research the documents. Council would meet and discuss the results of the Solicitor's findings. Mr. Pullen had some concern on the traffic light at Gardner Street, after another accident at the light. He suggested that Council meet with PennDot and try to resolve the problem. The Police Commission members will bring this up at the Police Commission meeting on Aug. 18, 1998.



### FIRE COMPANY REPORT

Chief Butler's written report records that the Department had 23 responses during the month. Chief Butler reported on two fire losses in the Borough during the month of July. A lightning strike at 10 Shady Lane resulted in \$300.00 in damage to the residence. On July 31, 1998 an appliance fire caused approximately \$700.00 in damages to a residence at 513 Edward street. The Hilltop Ambulance Association report is on file. A new heat scanning device was purchased by the fire department. The unit has a digital read-out. Annual fire hose pressure testing has been completed. Two sections of hose has failed. The fire hydrant still has not been installed at the McCullough House on Cheney Oak Drive. There will be further discussion with the Solicitor and the Engineers.

The Hilltop Ambulance Annual fund drive was discussed. A letter was sent by Southmont Borough to Hilltop Ambulance. In response to our letter the Association stated that in their minutes they approved the annual fund drives. Southmont Borough has not received any minutes from the Association for quite some time. Council will ask Mr. Jim Dailey to attend our September meeting as a representative of the Hilltop Ambulance Association. President Pile feels that we need to know the status of any agreement or terms of any agreement.

### ENGINEER'S REPORT

Mr. Dave Duray of Hinks & Locher Engineers will be our new engineering representative at our meetings. Mr. Ron Walker has joined another engineering firm. Council wishes him well. Mr. Duray asked if the easements are complete for the properties along the proposed retaining wall construction. Solicitor Lovette will check on the easements. After they are completed they will need to be signed by the property owners residing along the retaining wall. Mr. Duray reviewed the paving inspection on the 1998 Street Paving Project. All paving work has been completed. Some discussion was held on the hooded catch basin along the hillside on Susan and the replanting or seeding. Mr. Bosley stated that the crown vetch will grow back in rapidly. Council is concerned that the catch basin may now be a traffic hazard since it is located in the new paved berm, just below the Menoher Highway intersection. The catch basin is not new, this years street paving program of widening and paving the Susan Drive berms revealed the existence of the catch basin. The Street Commissioner will address this problem. Council reviewed the meeting with the Borough, Inspection Engineers, Berti Excavating and Hinks & Locher Engineers held in the PineBrooke Development site. The meeting was held on July 28, 1998 and to date nothing has been done. A punch list was sent out indicating the subjects and time schedule for completing the project, before the Borough can accept the roadway. Solicitor Lovette will be in touch with Attorney Gvozdich who represents Inspection Engineers. Council suggests that whatever it takes to complete the project should be done, before fall sets in. Solicitor Lovette will advise Attorney Gvozdich of this. Council wants to be on record that the fire hydrant must be installed as soon as possible. The McCullough House now has tenants and safety must be our first concern.

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. Painted double yellow lines on Southmont Blvd. Rebuilt several catch basins that were falling in. Trimmed trees and branches blocking traffic sign view at numerous locations in the Borough. Raised paved over manhole on Floyd Street. Had Roto-Rooter televiser sanitary sewer from Floyd Street up to Gardner Street and Stillray Street in the sunken area before paving. Repaired blacktop curb on Shady Lane below Cox Street. Hung doors at the new restrooms and installed locks. Removed concrete footings from previous wooden climbing structure at the Wren Street playground, per PIRMA safety inspection. Met with Ron Spielman of DEP concerning three large trees located near the wall of the Cheney Run, behind 172 State Street. Requested copies of plans and descriptions of the upper Cheney Run work done by the DER in 1984, to determine the creek channel maintenance responsibility. A 1990 Dodge 4x4 Federal Surplus truck was purchased for \$2,500.00. Mr. Bosley will look in to purchasing a small plow for the truck. The above ground diesel tank has been delivered and will be installed this week. The underground fuel tanks will be removed within the next month or so. Mr. Bosley mentioned that the roof over the tool room, lunch room and etc., is leaking badly. It should be repaired under the 1999 budget.

STREET COMMITTEE

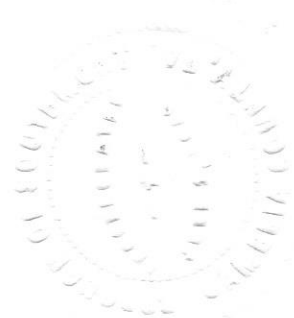
No further report. Council discussed the retaining wall construction traffic control and the notice to proceed. Most likely sometime in September construction will begin.

ADMINISTRATION & PERSONNEL COMMITTEE

Mr. Strittmatter submitted a draft copy of the Policy and Procedures Manual and a draft of the fee schedule for the Borough. Mr. Strittmatter has set August 25, 1998 at 7:00 p.m. for an Administration & Personnel meeting. The Secretary will have copies made and delivered to Council as soon as possible, for their review. The Committee will review the independent Performance Audit and a proposal from Portage Bank for investment of funds.

POLICE COMMISSION

President Pile reported only that the Police Commission will meet on Tuesday, August 18, 1998 at the Southmont Municipal Building.



RECYCLING COMMITTEE

Mr. Rovansek checked the area around the Recycling Center and feels it is well maintained and works well.

INSURANCE COMMITTEE

Mr. Kory reported there was nothing on the Insurance, however, on the Hartnett case it is still in the courts. He asked Solicitor Lovette if there was anything the Borough needs to do. Solicitor Lovette feels it is in the hands of the Insurance agent. They are now engaging in discovery of the facts. It looks like an arbitration case. In response to a letter written by Attorney Abood in reference to the material in Corn Alley, Solicitor Lovette stated that we should continue to use the milled material as we have done in the past.

BUDGET COMMITTEE

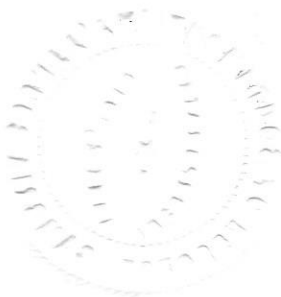
Mr. Rodgers stated that the Committee will review the independent Performance Audit and a proposal from Portage Bank for investment of funds at the August 25th Administration meeting. Mr. Rodgers feels the Cable franchise fee's will exceed our proposed budget figure.

SHADE TREE

Mr. Krupa reported that he has been in touch with an arborist from the Penn State area. He will be contracted to look at the trees in question that Mr. Krupa feels need to be removed. His fee is \$45.00 per hour. There is a tree in question at the First Church of Christ Scientist at 1067 Menoher Blvd. After inspection, Mr. Krupa will send them a letter of notice if there is a problem. Also, the Forester from Penn State has been in and inspected at least 12 trees for possible removal. Mike McNamara of GPU will have a professional tree service to correct or replace the trees trimmed on Daisy Street.

RECREATION/PLAYGROUND COMMITTEE

Mayor Koval reviewed the Westmont Hilltop Commission meeting on July 22, 1998. Since the meeting, Cliff Kitner, the newly appointed Director has resigned and accepted a position in the City of Johnstown. President Pile stated that Mayor Koval is reviewing applicants for Mr. Kitner's position. The regular August meeting will be held on the 26th at 7:00 p.m at the Ridge. All of Council is invited to attend. The Borough of Southmont and Upper Yoder Twp. helped the WHRC to find a leak in the underground water line. This saved the WHRC thousands of dollars. On behalf of the WHRC President Pile thanked Southmont Borough for their help.



BUILDING /GROUNDS COMMITTEE

Mr. Leventry reported on the weekly Fire Company's construction meetings and that the project is progressing. No other report.

C.O.G. COMMITTEE

Neither Mr. Rovansek or Mr. Krupa could attend the C.O.G. picnic/meeting. No report.

CHAPIN ARCH

Nothing to report until Spring.

MAYOR'S REPORT

Mayor Koval has reviewed several of the trees or shrub trimming complaints, and letters have been sent. He is following up on the trimming.

SOLICITOR

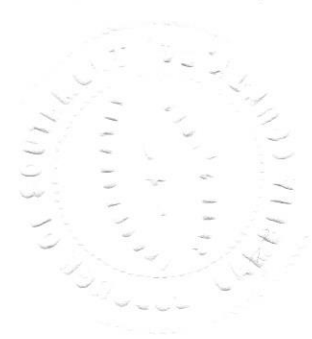
No other report.

SECRETARY'S REPORT

Mrs. Czyrnik's report records that we received notice of a \$12,000.00 allocation for Liquid Fuels from the County. The pile of dirt in Artichoke Alley, behind Mr. Joseph Polantz's property has been moved onto his property. Mr. Carl Jacoby of 212 Wonder Street has been notified that the alley way is now accessible. The Assisted Living McCullough House on Cheney Oak Drive has been officially opened. A question was raised as to the method of charging sewer maintenance costs to the McCullough House. Council decided that the charges should apply to each dwelling unit just as other Southmont apartments and housing units are billed. Mrs. Czyrnik will notify Assisted Living Concepts of Portland, Oregon of this decision. Council will not enter into agreement with PennDot for snow and ice control. A motion was made by Mr. Leventry and seconded by Mr. Kory to approve the Community Arts Center installing a sign in the triangle near Menoher Blvd. and Millcreek Rd. for their Log House Festival September 5th and 6th. All in favor, motion carried. The Tax Assessment office informed me that the exoneration of the tax at 205 Leon Street (formerly Stanford property) will most likely be approved; the office is very far behind.

TREASURER'S REPORT

Mr. Rodgers made a motion to approve the Treasurer's report for the month of July in the amount of \$383,062.74 in the General Fund balance. Seconded by Mr. Krupa. All in favor, motion carried.



TAX COLLECTOR

Mr. Quinn's written report for the July Report records \$21,844.08 in Real Estate collections and \$1,098.00 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 questions and review, a motion was made by Mr. Krupa to approve the Payment of the Bills in the amount of \$85,855.51. Seconded by Mr. Leventry Roll Call: Rodgers, Rovanseck, Strittmatter, Krupa, Kory, Leventry and Pile, all in favor. Opposed none, motion carried.

OLD BUSINESS

Items on the "Tickler List" were discussed. Items were reviewed, removed and re-listed.

NEW BUSINESS

Mr. Bosley asked for approval to attend the DEP's Flood Protection Program September 29th and 30th. A motion was made by Mr. Rodgers approving attendance for Mr. Bosley and a member of Council. Seconded by Mr. Krupa. All in favor, motion carried. A video was shown to the employees on Ending Sexual Harassment during a Safety Meeting on August 12, 1998. Mayor Koval was concerned about a property at 312 Olive Street where a resident has removed the sidewalk across his driveway. This is against Borough Ordinance #403 and creates a safety hazard, due to the uneven walking surface. A letter will be written to the resident for immediate repair. There being no other discussion, Council adjourned 8:50 pm.

Respectfully submitted.

Judith A. Czyrnik,  
Borough Secretary

