

MINUTES
BOROUGH OF SOUTHMONT
July 21, 2003 7:00 p.m.

The scheduled July Council meeting was called to order by President Pile at 7:00 p.m. After the pledge to the flag, the July 21, 2003 meeting of Council convened.

PRESENT: President Pile, Mr. Graham, Mr. Danyluk, Mr. Strittmatter, Mr. Krupa, Mr. Kory, Mayor: Gerry Sloat, Solicitor: Daniel R. Lovette, Engineer: Dave Duray, Secretary/Treasurer: Judith Czyrnik, Street Commissioner: Jan Bosley, Zoning Officer: Dyke Orms, West Hills Police: Chief Andy Havas.

ABSENT: Mr. Rodgers, Fire Chief-Chet Borosky

VISITORS: Mary Lee Page 347 Southmont Blvd.
Bonnie Barber -Cheney Run violation

President Pile asked for approval of the June 16, 2003 minutes and Committee Meeting Notes of July 8, 2003. A motion was made by Mr. Krupa to accept the Minutes and Committee Meeting Notes, as submitted. Seconded by Mr. Strittmatter. All in favor, motion carried.

At this time President Pile called on visitor Mary Lee Page who was inquiring if Council had any plan to open Kelly Street in the future. Mrs. Page is inquiring because her mother Mrs. Mary Weir is the property owner of 347 Southmont Blvd. and also owns property behind 347 Southmont Blvd. and above the "dedicated Kelly Street". It was explained to Mrs. Page that in order to vacate or accept a "dedicated street" there must be a petition presented to Council where 51% of the abutting property owners sign. If the property was accepted (by way of petition), abutting property owners would pay 1/3 the cost of opening this street. Solicitor Lovette explained to Council that the "dedicated Kelly Street" is just that, a dedicated street. It does not belong to the property owner until such time that Council would take action.

Mrs. Bonnie Barber received a letter from Solicitor Lovette regarding debris in the Cheney Run channel. While Borough employees were cleaning the channel for the annual Department of Environmental inspection they discovered debris in the channel. The debris appeared to come from the property at 438 Southmont Blvd. The employees took pictures and submitted a small parcel of wood, appearing to come from this property. Borough employees cleaned up the debris and Mrs. Barber was billed for the clean-up by Solicitor Lovette using the Charging Rate approved by the Borough. This includes a minimum of 4 hours for labor and equipment. (This "Charging Rate" was approved at the March 15, 1999 minutes and used when other than normal duties are performed.)

Mrs. Barber stated that the Borough should have called her and she would have clean-up the debris instead of being invoiced. It was

suggested that the Committee discuss this at the Committee Meeting August 5, 2004. A motion was made by Mr. Danyluk to table a decision tonight and refer this to the Committee meeting for review. Seconded by Mr. Graham. All in favor, motion carried. Mr. Rodgers, absent-prior commitment.

POLICE CHIEF'S REPORT

Chief Havas's report records revenues at \$221.52. Chief Havas reported that Corporal Lose conducted a class for the SERT Officers on June 30, 2003. Chief Havas reported on a problem at Diamond and Gardner Street at the newly constructed house. It appears that debris and material from the sewer connection is causing a problem on Gardner Street. It is also causing run-off to travel across Diamond Blvd. into a property at 208 Gardner Street. Mrs. Margaret Mayer has sent a letter to Council to review this problem. It was the consensus of Council that a letter will be sent to the property owner notifying them that they have 14 days to correct the problems in the street or the Borough or a contracted service will do the repairs and a lien will be placed against the property. The Cambria County Conservation District will be notified of the problems.

Chief Havas stated that he has heard nothing from Upper Yoder with reference to any regionalization of forces.

ZONING OFFICERS REPORT

Mr. Orms report records that there were 5 permits issued this month. Construction total year to date is \$451,633.00. There was some discussion on a report of the Department of Labor and Industry and new information on the Independent Regulatory Review Commission. Council has been told that this could go into effect within the next two weeks. MDIA has stated that Council could send a notice of intent to opt-in and specify that it should not be effective until the Regulatory Review is final. A motion was made by Mr. Strittmatter and seconded by Mr. Graham to send the letter of intent making those specifications. All in favor, motion carried. Mr. Rodgers, absent-prior commitment.

FIRE COMPANY REPORT

In Chief Borosky's absence the report records that there were 7 assists during the month. There were no calls during the hours of 10 p.m. to 7 a.m. Six members of the Fire Company attended a seven sessions on the Department of Health Vehicle Rescue class. Continued to work on jubilee tear down and cleanup. Attended the Oakland VFC parade. A copy of the June monthly Financial Report has been submitted to Council. Hilltop Ambulance Association report on file. Nothing further to report.

ENGINEER'S REPORT

Mr. Dave Duray of P.C. Rizzo & Associates reported that the final inspection was done on the street paving for 2003. Mr. Duray submitted the final invoice for approval in the amount of \$76,918.45. Mr. Duray explained that extra seal coat and scratch cost was added to the costs. A motion was made by Mr. Danyluk to approve the invoice to Quaker Sales in the amount of \$76,918.45. Seconded by Mr. Graham. Roll call: Mr. Graham, Mr. Kory, Mr. Danyluk, Mr. Strittmatter, Mr. Krupa and Mr. Pile, all in favor, opposed none. Mr. Rodgers, absent. Motion carried. Mr. Duray noted the letter sent by Upper Yoder Township Authority on the update of the work done on the sewage/stormwater infiltrations into the Borough's sewer lines. Mr. Duray reported on the proposed construction work to be done on Celeste Drive by the Western Pa. Orthopedics and Sports Medicine. Mr. Duray is working with Mr. Frank Turnbull of Frank Dachille Architects on the demolition of the pharmacy building across Celeste Drive to construct a parking lot and repave Celeste Drive to their present parking lot. Mr. Duray provided the requirements necessary to comply with Borough paving. The owners are willing to pave the street. Council concerns were that the proper measures be taken to insure that the run-off water would not be a problem for the Borough. A motion by Mr. Graham to accept the donation of the paving of Celeste Drive and that Mr. Duray and Mr. Bosley be on site during the paving. Seconded by Mr. Danyluk. All in favor, motion carried. Mr. Rodgers, absent. Mr. Duray and Mr. Bosley will attend the preconstruction meeting. Correction Action Reports have been sent to Department of Environmental Protection. Awaiting their final response. Mr. Duray is waiting for sanitary sewer update to complete the GIS program. The Borough has been notified by the County that the 2003 liquid fuels funds are \$14,000.00.

COMMITTEE REPORTS

STREET COMMISSIONERS REPORT

Mr. Bosley's report records that employees cleaned the Borough building, recycled weekly, and monitored designated sanitary sewer lines and continued to do maintenance on vehicles and equipment. Picked up branches after storms in the area. Trucks and equipment were power washed this month. Repaired the Cheney Run fence damaged from a fallen tree and billed the resident. Cleaned up around the storage shed and began filling in and leveling area to store items from the Wren Street playground pending the sale. Patched a few potholes and alleys. The streets were marked for the Line Stripping contractor who should be in this week. The Cheney Run cleanup has been completed, waiting for DEP inspection. Began working on a collapsed storm sewer on Otis and Bluff Streets. Employees are running new storm lines and increasing the size of the line. Mr. Bosley submitted his weekly/hourly duty sheet. Mr. Bosley reported that Westmont will be paving Millcreek about August 8th. Fence at the Basketball/hockey courts is being done this week. The Recreation Commission sent help to trim weeds around the fence area.

Mr. Strittmater suggests a letter be written to PennDot with reference to the heavy gravel and overhanging trees on Menoher Blvd. Also, a letter should be sent to the City of Johnstown with reference to the low overhanging trees at the entrance of the City limits on Menoher.

STREET COMMITTEE REPORT

Nothing further to report.

ADMNS. & PERSONNEL COMMITTEE

Nothing further to report. The Committee met and discussed Union negotiations and prepared a draft for a job description advertisement. The next negotiation meeting will be held July 24, 2003, at 4:30 p.m

POLICE COMMITTEE

There was no meeting this month. Next meeting Tuesday, July 22, 2003, at 7:00 p.m. at the Westmont Borough building.

RECYCLING COMMITTEE

Report on file.

INSURANCE COMMITTEE

Mr. Kory reported that the Worker's Compensation Insurance will expire 8-1-03. We should be receiving rates soon. Nothing further to report.

BUDGET COMMITTEE

No report.

SHADE TREE REPORT

Mr. Krupa reported that he checked trees on Leila Street and they will be trimmed by Mr. Bosley. Mr. Krupa will notify the First Christ Church that it will be their responsibility to remove the stump and plant a new tree along Menoher where the tree was struck by lightning.

RECREATION COMMITTEE

Mr. Kory attended the meeting and reported on the approval to contract for the pumping of the holding tank.

BUILDING/GROUNDS REPORT

Mr. Kory reported on a recent inspection. Mr. Kory asked for a Priority list for Building and Ground. Mr. Kory asked that the front steps should be done before winter.

COG REPORT

Mr. Graham reported the next COG meeting will be the August annual picnic for COG members.

GRANDVIEW COMMITTEE

Mr. Kory has been in touch with Mr. Ott with reference to the Millcreek Rd. paving. Mr. Danyluk asked that Solicitor Lovette draft a letter to Citizens Cemetery Association. A motion was made by Mr. Danyluk and seconded by Mr. Graham to request 1/3 of the total amount of the Millcreek paving costs. All in favor, motion carried. Mr. Rodgers-absent.

Gr. JOHNSTOWN WATER AUTHORITY

Mr. Graham reported on the prior month meetings. There was discussion on the buildings owned by the Water Authority. There will be another meeting July 24, 2003 at 7:00 p.m. at the Southmont Municipal Building.

MAYOR'S REPORT

Mayor Sloat will look into posting "Watch Children" and 10mph signs in several alleys in the Borough. Any new signs will need to be added and amend Ordinance 433. Mayor Sloat will be out of town August 8 thru August 20, 2003.

SOLICITOR'S REPORT

Solicitor Lovette reviewed the Fee Schedule changes and a motion was made by Mr. Graham to approve Resolution No. 2003-05 Fee Schedule changes. Seconded by Mr. Strittmatter. All in favor, motion carried. Mr. Rodgers-absent. Solicitor Lovette received the property descriptions for Wren Street to write the deed for the sale. Nothing further on the Sprague property law suit. A motion was made by Mr. Danyluk to write an Ordinance with reference to parking and the storage of RVS's, trailers, campers and etc. Seconded by Mr. Krupa. All in favor, motion carried. Mr. Rodgers-absent.

SECRETARY'S REPORT

Mrs. Czyrnik's written report records a letter was received from Ms. Susan Berkstresser resigning her Auditor's position as she will be leaving the area. The Borough will send her a letter thanking her for work on the Auditor's team. Mrs. Czyrnik will be in touch with Mrs. Chris Cramer of Daisy Street if she is interested in filling the position as an appointed auditor. Prepared paperwork for the Act 57, State Piggy Back program for the new truck and leaf machine ordered. Southmont received a copy of the Tax Collector's Audit done by the County. The report is on file. A letter was received from residents on Cheney Run Drive with reference to the high grass and weeds and requesting a "No Littering" sign. Mayor Sloat will look at the situation.

TREASURER'S REPORT

Mr. Krupa made a motion to approve the Treasurer's Report in the amount of \$423,430.25. Seconded by Mr. Kory. All in favor, motion carried. All in favor, motion carried. Mr. Rodgers-absent.

TAX COLLECTOR'S REPORT

Mr. Kory noted that the Tax Collector's report was received this month with Real Estate collections at \$4,839.78. Mr. Strittmatter seconded the motion. All in favor, motion carried. Mr. Rodgers-absent.

PAYMENT OF BILLS

After questions and discussion, Mr. Strittmatter made a motion to approve payment of the bills including Lawn Tamers for \$150.00, in the amount of \$53,844.44. Motion seconded by Mr. Danyluk. Roll Call: Mr. Graham, Mr. Kory, Mr. Danyluk, Mr. Strittmatter, Mr. Krupa and Mr. Pile all in favor, opposed none. All in favor, motion carried. Mr. Rodgers-absent.

OLD BUSINESS

Mr. Pile asked for review of the items on the "Tickler List". Items were reviewed and removed or re-listed.

NEW BUSINESS

Mr. Bosley requested that he attend a Roadmasters Roundtable Session on October 15, 2003 in Greensburg, PA. A motion was made by Kory and seconded by Mr. Krupa for Mr. Bosley to attend. All in favor, motion carried. Mr. Rodgers-absent. The cost is \$35.00. Mr. Felix of Arlington Street requested the Borough add signs to the alley as vehicles are using Pepper Alley as a shortcut to Diamond Blvd. Also, requested something be done with the brush and overhanging shrub.

There being no further business, Mr. Pile adjourned the July 21, 2003 meeting at 8:35
Respectfully submitted,

Judith A. Czyrnik

Judith A. Czyrnik,
Borough Secretary