

MINUTES
BOROUGH OF SOUTHMONT
December 10, 2001 7:00 p.m.

The scheduled December Council meeting was called to order by President Pile at 7:00 p.m. After the pledge to the flag, the December 10, 2001 meeting of Council convened.

PRESENT: President Pile, Mr. Rodgers, Mr. Rovanssek, Mr. Kory, Mr. Strittmatter, Mr. Krupa, Mr. Danyluk, Mayor: Lary Koval, Secretary/Treasurer: Judith Czyrnik, Jan Bosley-Street Commissioner, Solicitor: Daniel R. Lovette, Engineer: David Duray, Zoning Officer: Dyke Orms, Fire Dept.: Chet Borosky, West Hills Police: Chief Andy Havas.

ABSENT: None

<u>VISITORS:</u> Gerry Sloat- Mayor-Elect	301 Diamond Blvd.
Bruce Graham Council-Elect	163 State Street
Brad Kimmell	19 Harding Street

President Pile asked for approval of the November 19, 2001 minutes. A motion was made by Mr. Krupa to accept the Minutes as presented. Seconded by Mr. Strittmatter. All in favor, motion carried.

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POLICE CHIEF'S REPORT

Chief Havas's written report records the revenues for the month of November have not been received to date. Chief Havas reported that the Police Department is enrolled in the Pennsylvania Law Enforcement Accreditation Program. The program cost is \$100.00 and provides numerous benefits, e.g., decreases some liability insurance expenditures, reduces agency risk and exposure to lawsuits. The program extends agency accountability to the public and enhances planning within the agency.

Chief Havas reported that three officers will attend advanced S.E.R.T. training at Fort Indian Town Gap in March 2002. Mr. Danyluk questioned the cost of the program. The only cost will be for the Officers time. Meals and lodging are paid in full. All Officer will receive the mandatory annual in-service training between January and March 2002.

ZONING OFFICERS REPORT

Mr. Orms reported that there were no permits issued for the month and the total year to date construction cost is \$799,889.00. Mr. Chiodo has submitted a Building Permit application 2001-51 for an office building on Lot No. 8 of the PineBrooke Subdivision. Mr. Chiodo is also proposing to build in the future, two additional buildings on lots no. 6 and 7.

Mr. Orms has been researching Ordinances to find any deviation in the set back for Menoher Blvd. Ordinance No. 309 did specify a different set back for some business on Menoher Blvd. Ordinance No. 350

cont'd

There is also some question on the proposed building and storm water management. Mr. Orms spoke with Zoning Solicitor Pat Kiniry and was advised that he must refuse the Building Permit and Mr. Chiodo will need a Zoning Hearing Board appeal for a variance and to address the storm water management plan. Mr. Chiodo had previously sent a letter requesting the Borough extend the sanitary sewer line from Susan Drive to his proposed building. (approximately 180 feet). Mr. Duray stated that in most cases the Developer is responsible for providing utilities to the property. The consensus of Council is that Mr. Chiodo is responsible to provide the sanitary sewer line. Mr. Orms will inform Mr. Chiodo of the decision.

Mr. Orms is also reviewing a dog shelter that was placed on the property of Gary Horner at 161 State Street. No record of a building permit can be found and it appears that Mr. Horner tapped the drain of the shelter into the sanitary sewer line. Both issues are in violation of the Zoning Ordinance. The concrete pad for the shelter has been built over the sanitary sewer line that runs through the back yards of this section of State Street. Storm water is entering the drain on the concrete pad. Mr. Orms will continue to reiew this issue.

Mr. Orms had a question on to define the front footage for zoning set-backs. There have been two cases recently on what you define the zoning setback. Depending on the shape of the lot and how the building is to be placed on the lot, it makes a difference on the front, back and side setbacks. Mrs. Czyrnik will check with PSAB, for information.

FIRE COMPANY REPORT

Chief Borosky's written report records 15 activities for the month of November. Chief Borosky reported that on November 15, 2001 the station was activated for an automatic fire alarm. None of Southmont's pagers activated. Only the siren activated. The 911 Center could not explain why the pagers did not activate. The SVFC sponsored a pump operations class on November 17 and 18, which was attended by four members of SVFC and approximately 25 members of surrounding fire departments. The Department is scheduling more classes. A class on Terroism is also being scheduled.

Chief Borosky is requesting that the department order the new pagers as some of their pagers are in need of repairs. The cost to repair is \$100.00 to \$200.00 compared to \$350.00 for a new one. The Fire Department wants to order the pagers and pay for them. Council can then reimburse their department early in 2002. Mr. Strittmatter and Mr. Danyluk felt the Committee was looking to replace the siren rather than purchase new pagers. The Fire Department's Budget request was for \$5,400.00 for two Air Packs and \$10,470.00 for pagers. Some discussion was held and Council consensus was that this be discussed further at a Committee meeting. President Pile scheduled the Committee to meet on January 7, 2001 after the Reorganization Meeting. It will be advertised.

A copy of the Hilltop Ambulance Association minutes are on file.

Agenda change

SOLICITOR'S REPORT

Solicitor Lovette asked for the change in agenda as he has a prior commitment.

Southmont has received the Upper Yoder Township Sewer Authority sewer rental agreement. The Sewer Authority has passed the agreement and signed it. Solicitor Lovette is recommending that Southmont sign the agreement. A motion was made by Mr. Rodgers to approve the Sewer Agreement. Seconded by Mr. Krupa. All in favor, motion carried. Solicitor Lovette stated that the agreement has all the changes Southmont requested.

Solicitor Lovette stated that he has been in touch with Mr. Charles Sprague's Attorney George Raptosh. Mr. Sprague has filed a Notice to Appeal the District Magistrate's judgment of October 22, 2001. Mr. Sprague is asking for \$5,727.00 for the easement through his property for the sanitary sewer line on Luzerne Street. The Borough had filed a Declaration of Taking, in order to proceed with the project. Additional costs by the Borough were incurred in order to save Mr. Sprague's shrubs and plants during the construction. Solicitor Lovette had offered Mr. Sprague \$1,500.00 to settle. Mr. Sprague chose to take the Magistrate's judgment to Cambria County Court. Solicitor Lovette appeared at the Court hearing and it appears that Mr. Sprague will pay for the Borough's Attorney costs for the Magistrate's hearing, which Mr. Sprague did not attend. Solicitor Lovette is recommending that the Borough get an appraisal of the Sprague property. Solicitor Lovette also reported that the Borough will receive approximately \$100.00 from realty transfer taxes from a sale of property back in 1982. The State has found that the exemption taken at the time of the sale was not legal.

Solicitor Lovette prepared Ordinance No 431 for setting the tax rate at 22 mills for the year 2002. It has been advertised. A motion was made by Mr. Danyluk to approve the tax rate at 22 mills. Seconded by Mr. Rodgers. Roll Call: Mr. Rodgers, Mr. Rovanseck, Mr. Kory, Mr. Danyluk, Mr. Strittmatter, Mr. Krupa and Mr. Pile, all in favor, opposed none. Motion carried. Solicitor Lovette prepared proposed Ordinance No 432, authorizing the Tax Collector to receive a fee of Ten Dollars for providing tax certifications upon request by the public. A motion was made by Mr. Danyluk to approve proposed Ordinance 432 and to advertise, effective January 1, 2002. Solicitor Lovette had nothing further to report on the Ray Hartnett and Alex Goodman cases. The Chapin Arch deed has been recorded but nothing further, Solicitor Lovette left at 8:15 p.m.

ENGINEER'S REPORT

Mr. David Duray of Paul C. Rizzo Associates reported that he met with Mr. Robert Batey, Westmont's Maintenance Supervisor, Mr. Bosley and others to review the Millcreek Rd., Geneva Street proposed paving specs that Mr. Batey prepared for Southmont. After calculation of the paving materials Mr. Duray feels the specifications and costs, prepared by Mr. Batey, are satisfactory. A motion was made by Mr. Rodgers to approve Southmont Borough paying \$23,227.50, 1/2 of the amount of \$46,455.00 total estimated material cost. Seconded by Mr. Rovanseck. All in favor, motion carried.

Mr. Duray submitted a Cost Estimate for the GSI system to manage the storm sewers, sanitary sewers, curb cuts, sidewalks, catch basin reconstruction, street and alley information and other invaluable information for Borough files. This Geographic Information Systems (GIS) information could be updated several times each year or as the work progresses.

The estimated cost is \$1,500 for the software, Computer \$1,500.00, Data Development for roads-pavement and sanitary sewers \$9,500.00, technical training and support approximately \$1,300.00 to \$2,600.00. Mr. Duray will schedule a presentation to explain to Council on January 15, 2002. Mr. Kory stated that we should continue to pursue the County on their pricing of a similar program being offered to the Borough's in the area.

COMMITTEE REPORTS

STREET COMMISSIONERS REPORT

Mr. Bosley's written report was reviewed. Mr. Bosley reported that the storm and sanitary sewers from Leila Street and Potato Alley between 104 and 106 Leila Street, to be sure sewers are functioning properly. Mr. Galardi of 104 Leila Street reported that he is getting water into his basement and thinks it is from our sewer. The sewers are fine. The Street Committee reviewed the Borough streets for the 2002 Street Paving project. Proposed streets have been measured for a cost estimate of the 2002 Street Paving program. Employees cut down two catch basins on the Borough side of Millcreek Rd., to help drainage on the shoulder of the road. A new flow meter was installed on Wonder Street and it seems to be working correctly, however the meter in the State Street by-pass is not working properly. A new clutch disc was put on the new leaf machine. Replaced cracked catch basin grates on State, Bliss and Gardner Streets

STREET COMMITTEE

Mr. Danyluk reported that the new pole installations for alley lights are in progress. Mr. Danyluk stated that he looked at the mounds of dirt at the Haidar property and it has been leveled off. Mr. Pullen is satisfied.

ADMINISTRATION/PERSONNEL COMMITTEE

Mr. Strittmatter will report later this evening.

POLICE COMMISSION

Mayor Koval reported that a Police Commission meeting will be held December 18, 2001.

RECYCLING COMMITTEE

Mr. Rovanseck reviewed the recycling report. The volume is down from previous years. Mr. Danyluk asked if Mr. Bosley had costs for the surveillance cameras. Mr. bosley will get cost estimates.

INSURANCE COMMITTEE

Mr. Kory had nothing to report other than he has received some comparisons for Hospitalization insurance premiums. He has not had time to review.

BUDGET COMMITTEE

Mr. Rodgers reviewed the Budget. Mr. Rodgers stated that the Tentative Budget has been advertised and is ready for Final Adoption. A motion was made by Mr. Rodgers to approve the 2002 Budget in the amount of \$628,010. Seconded by Mr. Danyluk. Roll Call: Mr. Rodgers, Mr. Rovanseck, Mr. Kory, Mr. Danyluk, Mr. Strittmatter, Mr. Krupa and Mr. Pile. All in favor, opposed none. Motion carried. Mr. Rodgers made a motion to authorize the Secretary to make Liquid Fuels and Cheney Run Transfers for the year 2001. Seconded by Mr. Danyluk. Motion carried.

Mr. Rodgers made a motion to authorize the Treasurer to make Budget transfers after December 31, 2001 for the year 2001 and to report the transfers at the January meeting. Seconded by Mr. Danyluk. Motion carried.

Mr. Rodgers made a motion to name the depository of funds for the year 2002. Portage National Bank for the General Fund, Money Market and the Sewer and Garbage Fund. PLGIT for the Cheney Run Fund, General Fund and PLGIT Plus Account and Valley National Investment Inc., for the inactive Police Pension. Seconded by Mr. Danyluk. All in favor, motion carried.

SHADE TREE

Mr. Krupa reported on the Shade Tree Commission activity this month. The Newsletter has been sent to the printer and should be mailed within the week. Mr. Krupa received the final bill for the removal and trimming of several trees in the Borough for the 2001 project in the amount of \$1,125.00. He would like to include this in the Payment of Bills. Mr. Krupa wanted Council to be aware of the overage in his Budgeted figures. The Shade Tree Committee received about \$900.00 that does not appear in the Budget but he has spent the money to replace a damaged tree. Also, the Shade Tree Commission planted 18 more trees on Diamond Blvd. near the Fireman's Shed, as requested by Council. This accounts for the overages.

RECREATION/PLAYGROUND COMMITTEE

President Pile reported that the Recreation Commission will participate in the Redevelopment Authority of Cambria County regarding the Playground Safety Inspection Audit. The Recreation Commission will try to get a Grant for the Ridge Sewage Treatment Plant.

BUILDINGS and GROUNDS

Mr. Kory reported that Big City Signs has submitted a new drawing and color chart for the new signs that will be installed on the Municipal Building and in the front lawn area. The cost is approximately \$1,660.00. A motion was made by Mr. Kory to

C.O.G REPORT

Mr. Rovansek reported that COG is working on the required Uniformed Construction Code inspections. They are advertising for inspectors. The annual COG budget for 2002 has been approved in the amount of \$130,000.00.

CHAPIN ARCH

Nothing further.

MAYOR'S REPORT

Mayor Koval had nothing to report. He stated that this being his last meeting, he enjoyed working with everyone on Council and he wanted to thank the Borough Staff for all their help. Mayor Koval turned all his data over to Mayor-Elect Jerry Sloat.

SOLICITOR 'S REPORT

Nothing further.

SECRETARY'S REPORT

The Secretary's report has been submitted and records that a letter has been sent to the Johnstown Redevelopment Authority informing them of raw sewage infiltration into the storm sewer line below Barnett Street. It is recorded that the Liquid Fuels County Aid money has been received in the amount of \$12,000.00. A motion was made by Mr. Rodgers to approve the Secretary's Report. Seconded by Mr. Krupa. Motion carried.

TREASURER'S REPORT

A motion was made by Mr. Rodgers to approve the November Treasurer's Report, as presented, in the amount of \$325,023.55. Seconded by Mr. Kory. All in favor, motion carried.

TAX COLLECTOR'S REPORT

Mr. Rodgers made a motion to note that Southmont received the November Tax Collector's Report, with Real Estate Collections at \$2,675.55. Seconded by Mr. Danyluk. All in favor, motion carried.

PAYMENT OF BILLS

After discussion, a motion was made by Mr. Rodgers to include Tom & Bob's Tree Service in the amount of \$1,125.00 and to approve payment of the bills, for a total amount of \$20,619.78. Seconded by Mr. Krupa. Roll Call: Mr. Rodgers, Mr. Rovansek, Mr. Kory, Mr. Danyluk, Mr. Strittmatter, Mr. Krupa and Mr. Pile. All in favor, opposed none. Motion carried.

OLD BUSINESS

President Pike asked for review of items on the "Tickler List". Items were

reviewed, removed or relisted. Some new items will be added.

NEW BUSINESS

President Pike took this time to thank Mr. Rovanseck and Mayor Koval for there service to the Borough over the past 4 years. President Pike introduced to Council Councilman-elect Bruce Graham and Mayor-elect Jerry Sloat. President Pike invited all of Council to attend the Holiday Luncheon at Lino's on December 21, 2001. This will be a luncheon for Ron Rovanseck and Lary Koval for the service to the Borough. Lunch will be on your own and to order from the menu. Paul C. Rizzo is having an Open House on December 21, 2001 from 12 to 4:00. Please RSVP.

ADMINSTRATION & PERSONNEL

At this time Mr. Strittmatter asked for an Executive Meeting 8:30 p.m. for Personnel discussion.

Council convened at 8:40 and Mr. Strittmatter made a motion to set the 2002 wage for employees as follows:

Summer Help	\$5.50 per hour,
Skilled Labor Part Time	\$6.50 per hour,
Exp. Part time	\$5.85 per hour,
Clerk	\$6.75 per hour,
Secretary/Tresurer	\$23,900.00 annual
Street Commissioner	\$30,144.00 annual

effective January 1, 2002. Seconded by Mr. Rovanseck. All in favor, motion carried.

Also, at this time Mr. Rodgers made a motion to set the meeting schedule for the year 2002. Re-organization meeting will be January 7, 2002 at 7:00 p.m., with a Committee meeting to follow. Regular monthly meeting, the third Monday of each month at 7:00 p.m., Committee meetings, Tuesdays of each week as needed at 7:00 p.m. and third Monday at 6:30 p.m., if necessary. The December 2002 monthly meeting will be December 9, 2002 at 7:00 p.m. Seconded by Mr. Krupa. All in favor, motion carried.

There being no further discussion the meeting adjourned at 8:45 p.m.

Respectfully submitted,



Judith A. Czynnik,
Borough Secretary