

BOROUGH OF SOUTHMONT
148 Wonder Street
Johnstown, PA 15905

Minutes for April 18, 2011

The pledge of allegiance was conducted and the scheduled April 18, 2011 Council meeting was called to order by President Rodgers at 7:00 p.m.

Present: Attorney Michael Carbonara, Manager Richard Wargo, Sec. /Tres. Judith A. Czyrnik, Clerk-Amanda Claycomb, President Richard Rodgers, Council Members; Mr. Ed Danyluk, Mr. Herb Ewald Mr. William Kory, Mr. Kevin Pile, Mr. Tom Strittmatter and Mr. Robert Morgan Mayor Gregory Paolini, West Hills Police Chief Andrew Havas

Absent: Engineer Scott Rughe (excused), Fire Chief Mike Leckey

Visitors: Tim McDevitt (West Hills Lawn Care) 1022 Fuge Lane, Grass Cutting Bid; Scott Petrusic (West Hills Lawn Care) 97 Thoburn Street, Grass Cutting Bid

Meeting Agenda

A motion was made by Mr. Kory to open the 2011 street paving bids. Motion seconded by Mr. Pile. All in favor, motion carried. The street paving bids were as follows; Derry Construction Co., \$71,588.00; Quaker Sales Corp., \$74,462.40; HRI Inc., \$84,518.60. A motion was made by Mr. Morgan to accept the bid made by Derry Construction Co. in the amount of \$71,588.00 as per review by Solicitor Carbonara. Motion seconded by Mr. Danyluk. Role call: Mr. Rodgers, Mr. Danyluk, Mr. Ewald, Mr. Kory, Mr. Pile, Mr. Strittmatter and Mr. Morgan in favor. Motion carried. A motion was made by Mr. Kory to open the 2011 grass cutting bids. Motion seconded by Mr. Pile. All in favor, motion carried. The grass cutting bids were as follows; West Hills Lawn Care, \$435.00 per cut; A-100 Property Maintenance, \$480.00 per cut; Entrust Outsourcing, \$745.00 per cut; BTS Landscaping, \$713.00 per cut. A motion was made by Mr. Morgan to accept the bid from West Hills Lawn Care in the amount of \$435.00 per cut. Motion seconded by Mr. Kory. Role call: Mr. Rodgers, Mr. Danyluk, Mr. Ewald, Mr. Kory, Mr. Pile, Mr. Strittmatter and Mr. Morgan in favor. Motion carried. A motion was made by Mr. Morgan to approve the Council Meeting Minutes of March 21, 2011. Motion seconded by Mr. Pile. All in favor, motion carried. A motion was made by Mr. Morgan to approve the Personnel Committee Meeting Minutes of April 11, 2011. Motion seconded by Mr. Pile. All in favor, motion carried. A motion was made by Mr. Pile to approve the ratification of payroll in the amount of \$20,374.42. Motion seconded by Mr. Strittmatter. Role call: Mr. Rodgers, Mr. Danyluk, Mr. Ewald, Mr. Kory, Mr. Pile, Mr. Strittmatter and Mr. Morgan in favor. Motion carried. A motion was made by Mr. Pile to approve the bills from March 23, 2011 through April 19, 2011 in the amount of \$65,543.52. Motion seconded by Mr. Strittmatter. Role call: Mr. Rodgers, Mr. Danyluk, Mr. Ewald, Mr. Kory, Mr. Pile, Mr. Strittmatter and Mr. Morgan in favor. Motion carried. A motion was made by Mr. Kory to approve the March 2011 treasurer's report in the amount of \$413,391.95. Motion seconded by Mr. Ewald. All in favor, motion carried. A motion was

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made by Mr. Kory to note the receipt of the March 2011 tax collector's report in the amount of \$60,740.97. Motion seconded by Mr. Ewald. All in favor, motion carried.

Police Chief's Report

Chief Havas reported three Officers that are members of the Cambria County SERT Team were recently certified in Basic Swat Operations after a five-day training course. Chief Havas noted Cambria County received a grant to pay for the training. Chief Havas stated Det. Sgt. Musulin gave a presentation about risk management to a group of Subway managers, who attended a Regional Managers Meeting. Police fines were \$398.12 for vehicle fines and \$71.16 for Ordinance fines.

Fire Company's Report

Chief Leckey absent. The fire company's report was not received. The Hilltop Ambulance report was received and is on file.

Engineer's Report

Mr. Wargo reported a Committee Meeting was held on April 4 to discuss corrective actions to several NASSCO Class 5 structural defects noting development of a flow monitoring plan to look at some of the Borough's tributary sub-basins that are not influenced by flows from Upper Yoder Township was also discussed. Mr. Wargo reported a proposal was submitted for consideration to prepare bid documents to repair three man-hole to man-hole sections that were labeled for comprehensive repair due to the severity and number of defects with two sections in the Shady Lane sub-basin and the third in the Thoburn Street area that accepts flow from a portion of Upper Yoder. Mr. Wargo reported a second proposal was received to conduct flow monitoring. Mr. Wargo reported EADS collected one month of flow data from two flow meters near the boundary between Upper Yoder Township and Southmont and the results were discussed at the April 4th Committee Meeting. Mr. Wargo briefly spoke regarding sanitary sewer repairs and potentially bidding out three areas for repairs this summer. A brief discussion was held regarding installation of five flow meters for two months of monitoring the internal aspects of the sanitary sewer system for \$15,580.00 (\$900 per month meter rental, \$690 installation/retrieve date and prepare flow graphs), which would assist in determining where the majority of flow volume is originating. A motion was made by Mr. Pile to approve installation of five flow meters for \$15,580.00. Motion seconded by Mr. Strittmatter. Mr. Kory suggested the motion be tabled for further discussion. A motion was made by Mr. Kory to table the flow meter motion. Motion seconded by Mr. Danyluk. Role call: Mr. Rodgers, Mr. Danyluk, Mr. Ewald, Mr. Kory in favor. Mr. Pile, Mr. Strittmatter and Mr. Morgan opposed. Motion carried (4-3). Mr. Wargo reported a proposal was received from EADS for design and phase engineering to replace sewer line on Cheney Oak Drive, Shady Lane, Thoburn Street between Wonder and Edward and in a right-of-way between Hershberger Road and Edward Street. Mr. Wargo reported the basic services of preliminary design, final design, bidding and construction would cost \$10,000.00. Mr. Wargo noted additional services were proposed as follows: Inspection, \$3,300; Permits, \$1,000; Surveys/Field Investigation, \$1,000. A motion was made by Mr. Pile to approve the basic services and additional services in sewer line replacement

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proposal received from The EADS Group with a maximum cost of \$15,300.00. Motion seconded by Mr. Strittmatter. Role call: Mr. Rodgers, Mr. Danyluk, Mr. Ewald, Mr. Kory, Mr. Pile, Mr. Strittmatter and Mr. Morgan in favor. Motion carried (7-0).

Zoning Officer's Report

Mr. Wargo reported zoning permits issued to 631 Diamond Blvd. and 406 State Street. Mr. Wargo reported approved sewer compliance certificates for 505 State Street, 404 State Street and 129 Dahlia Street. Mr. Wargo reported a request was made to put a business in the second floor of Clark's Corner Store. Mr. Wargo noted the property is considered non-conforming use and a request for special exception would need to be made to the Zoning Hearing Board.

Mayor's Report

Nothing to report.

Manager's Report

Mr. Wargo reported crack sealing began on April 4, 2011 and will continue through April 22, 2011. Mr. Wargo reported Arbor Day will be held on May 7, 2011 at 10:00 a.m. Mr. Wargo reported an exit session was held with Kris Cramer of Kline Kimlin regarding the 2010 audit noting all accounts appeared in good shape. Mr. Pile stated Mrs. Cramer commented in her notes that the manager is to sign all bills before checks are cut. Mr. Wargo stated this process is implemented in the office and the few mistakes have been corrected. Mr. Wargo reported on the flooding incident on Menoher Blvd. from December 2010. Mr. Wargo noted a letter was received from Ms. Bobbie Blososky, Cambria County Conservation District Resource Specialist, stating a complaint investigation was completed on April 4, 2011 which revealed problems that exist and corrective actions are necessary to bring the project into compliance. Ms. Blososky has notified Grandview Cemetery of the results of the inspection and the required repairs to pass inspection. Mr. Wargo reported the Borough will request reimbursement from Penn DOT for expenses acquired from the flooding incident.

Solicitor's Report

Mr. Rodgers reported he contacted the Pennsylvania State Association of Borough's regarding having a speaker come in for an employee/public relations seminar noting PSAB stated they have speakers available and the Borough may want to contact surrounding municipalities about participating. Mr. Wargo will follow up An Executive Session was called at 8:05 p.m. regarding personnel. The Executive Session ended and Council resumed its regularly scheduled meeting. Mr. Wargo reported he spoke with Attorney Bob Shahade regarding the sewer maintenance agreement with Upper Yoder Township noting Attorney Shahade suggested continuing with the current agreement and a possible cap on the Upper Yoder sewer maintenance fee. Solicitor Carbonara will follow up on the issue and will give Upper Yoder Township a deadline to come to an agreement. Solicitor Carbonara reported depositions of Wessel & Co. for the Central Tax Bureau issues occurred on April 8, 2011. A brief discussion was held regarding the depositions.

Secretary's Report

A motion was made by Mr. Morgan to approve Ordinance No. 486 which amends Ordinance No. 69. Motion seconded by Mr. Danyluk. All in favor, motion carried. A motion was made by Mr. Danyluk to approve Ordinance No. 487 which amends Nuisance Ordinance No. 471 Section C8. Motion seconded by Mr. Pile. All in favor, motion carried. Mrs. Czyrnik reported on a letter received regarding a program to adopt a policy, ordinance or resolution that would prohibit tobacco products in the Borough parks, playgrounds or other recreational area. The Alternative Community Resource Program would provide "Young Lungs at Play" signs for free in support of this policy. No action was taken. Mrs. Czyrnik reported a tax collector's bond renewal was received from Central Tax Bureau noting the bond is automatically renewed. Mrs. Czyrnik reported a notification was received that Fidelity and Deposit Company of Maryland is canceling the Atlantic Broadband surety bond noting she is awaiting a return call from the General Manager regarding who they will be bonded with.

1) COMMITTEE REPORTS

A. Streets: Nothing to report.

B. Administration: Nothing to report.

C. Personnel: Nothing to report.

D. Police Committee: Nothing to report.

E. Fire Company Committee: Mr. Strittmatter reported a meeting will be held with Upper Yoder Township on May 15, 2011.

F. Budget & Tax Collection Committee: Mr. Pile requested a form be included with the fall newsletter for employees to disclose to their employers the municipality they reside in

G. Shade Tree Committee: Mr. Morgan requested a packet with the new shade tree ordinance and the Arbor Day information be sent to the Shade Tree Committee. Mr. Morgan reported Arbor Day will be held May 7, 2011 at the Diamond Blvd. Playground and a tree dedication will be held for the late Mr. William Leckey.

H. Recreation Committee: A motion was made by Mr. Ewald to approve any member of Council as an alternate to the Recreation Committee. Motion seconded by Mr. Kory. All in favor, motion carried.

I. Buildings & Grounds Committee: Mr. Strittmatter noted repairs are needed along the handicap ramp in front of the municipal building and the sign in front of the building needs repainted along the bottom.

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J. Greater Johnstown Water Authority: Mr. Pile reported digging for the inter-connection has begun. Mr. Pile stated the Water Authority will purchase a parcel of land from Upper Yoder Township for a pumping station. Mr. Pile stated the Water Authority has re-bid a million gallon tank for approximately \$986,000 and a pump station for approximately \$1, 500,000.

K. Open Records: No open records requests received.

There being no further business, a motion was made by Mr. Kory for adjournment of the April 18, 2011 meeting at 8:55 P.M. Motion seconded by Mr. Strittmatter. All in favor, motion carried.

Respectfully submitted,
Amanda D. Claycomb
Borough Clerk