

MINUTES  
BOROUGH OF SOUTHMONT  
June 21, 1999, 7:00 p.m.

The regularly scheduled June Council meeting was called to order by President Pile at 7:00 p.m. After the pledge to the flag, the June 21, 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, Zoning Officer: Fred Pullen, and Fire Department: Michael Butler

**ABSENT:** Mr. Kory-vacation, West Hills Police: Chief Andy Havas, Street Commissioner: Jan Bosley, prior committment

**VISITORS:** David Dorn, AFLAC  
Stephanie Troyan, WHRC  
Dr. Richard Kastelic 56 Gardner St.  
Darlene Marsh 200 Mabel Street  
Vickie Pendelton 204 Mabel Street

President Pile asked for approval of the May 17, 1999 minutes. A motion was made by Mr. Leventry to accept the minutes as written. Seconded by Mr. Krupa. All in favor, motion carried.

President Pile called for a motion to open the Paving Bids for the 1999 Street Paving Project #2-Diamond Blvd. Motion was made by Mr. Rodgers and seconded by Mr. Krupa. Bids were opened as follows:

1.) Derry Construction Quaker Sales	\$ 28,160.40
2.) Quaker Sales	\$ 33,955.00
3.) Whitaker Bros.	\$ 30,697.16

After bids were opened and discussion was held, Mr. Rodgers made a motion to accept Derry Construction with the low bid of \$28,160.40, pending approval of the Engineers and Solicitor. Seconded by Mr. Rovansek. Roll Call: Mr. Rodgers, Mr. Rovansek, Mr. Strittmatter, Mr. Krupa, Mr. Leventry and Mr. Pile. All in favor, opposed none. Motion carried. Mr. Kory, absent

At this time President Pile called on visitor Stephanie Troyan, director of Hilltop Recreation. Ms. Troyan wanted to thank Council, Jan Bosley and employees of Southmont Borough who helped at the Ridge on several projects. Ms. Troyan thanked Mr. Bosley for help with the painting, grass cutting and some plumbing projects. Ms. Troyan inspected the Wren Street playground and finds there is nothing salvageable for the Commission. The Recreation Commission has released the playground back to Southmont Borough. The Summer Playground activities began today and Diamond Playground was very busy. Mr. Rodgers suggested that the Recreation Commission look at the Waters properties that are under trust agreement to be used for recreational and nature activities. Possibly the Recreation Commission would be interested along with the School District. Ms. Troyan will look at the area.



Visitor's Vickie Pendelton and Darlene Marsh were interested in the Kastelic property and all the buildings on the property. They were also concerned with Thoburn Alley and the "Chicken Path". Council explained that Dr. Kastelic had requested the use of Thoburn Alley as his driveway. He had signed a release stating that the right of way for utilities in the alley will have access at all times. He also had previously told Council that the "Chicken Path " would remain open. The Waters property was recently surveyed which is behind both the Marsh and Pendelton property. Their concern is that the survey marks are on their property and stated that there is an alley between these properties. Mr. Duray stated that there is no alley between these properties and the survey was of the Water's property only. Council invited the visitors to stay as Dr. Kastelic planned on attending tonight's meeting.

Visitor David Dorn, representing AFLAC attended tonight's meeting to ask Council their reason for not taking action on the request of the employees who have made application for the program his company is offering. Mr. Rodgers made comment that Council had talked with Mr. Dorn at a Committee meeting previously, and no action was taken at the last Council meeting. Any further request should be made at a committee meeting, if there is new information.

#### POLICE CHIEF'S REPORT

In Chief Havas's absence, Detective George Musulin submitted the written report. Revenues for the month of May were \$385.25. Officer West has completed a Vehicle Inspection Regulation course. Det. Sgt. Musulin will be attending a five day conference sponsored by the U. S. Treasury Bureau of Alcohol, Tobacco and Firearms. The conference will be on several topics, including gang activities. After some questions from Council, regarding about recent burglaries, Solicitor Lovette suggested Council keep their questions in the general line, so as to not jeopardize any investigations. Mr. Rodgers asked about the Haidar property at 1070 Luzerne Street. Solicitor Lovette had sent a letter to Mr. Haidar's Attorney David Weaver, informing him of the Magistrates ruling made in May 1998 to have the debris leveled and covered in the back of his property. In response this was done, however no dirt was placed over the debris. According to a letter received from Attorney Weaver, Mr. Haidar would be making application for a wooden fence. No applications has been made and when it is it will be turned over to Mr. Charles Glass, acting as temporary Zoning Administrator. Chief Havas will be invited to attend the June 29, 1999 meeting with Upper Yoder for discussion on a traffic light at the intersection of Goucher St and Harshberger Road. Mr. Rodgers asked Det. Sgt. Musulin if he would inform the Chief about looking into a traffic sign or warning at the intersections of Keppler, Floyd, Elknud Land and State Street. This item should be brought to the attention of Chief Zakraysek also. Det. Muslin will advise Chief Havas of the request.



### ZONING OFFICER'S REPORT

Mr. Pullen's written report records eleven (11) permits have been issued during the month with construction costs of \$57,060.00. The estimated year to date construction cost is \$254,118.00. Several letters were sent to residents on possible BOCA code violations. Two properties at 19 and 20 Shady Lane received notice to repair steps, handrails and downspouts. Another property owner was put on notice to erect a fence around a pond on his property at 112 Peden Lane.

Dr. Kastelic was informed that the Waters property was surveyed and the tree house constructed there will have to be removed. He was also informed that Council has decided that the Waters property will not be sold. The agreement stipulates that the property can never be built on and it shall remain Borough property. On a discussion on fences around a pool, it is a State Regulation that from the top of the above ground pool an additional 3' high fence is to be installed and a gate that can be locked. This applies also to ponds. Letters will be sent to any resident who is not in compliance. A letter to the Wonder Street pool owner will be mailed this week.

### FIRE COMPANY REPORT

Chief Butler reported on the written report submitted for May. There were 14 emergency runs and/or assists during the month. It was noted the Department assisted on three emergency calls, one with Hilltop Ambulance, a search detail and a physical rescue in Westwood. Three members attended 12 sessions of fire school during the month.

Hilltop Ambulance had no meeting on June 7, 1999. No quorum. Chief Butler reported that the Hilltop Ambulance Association will be sponsoring a fund drive again this year throughout the area. Council will discuss this at a Committee meeting.

All reports are not in for the Jubilee report. The Fire Company took in about \$700.00 less than last year. A slight profit might be made, approximately \$700.00 after all the bills are paid. On another matter, Chief Butler requested that overhanging trees on State Street, Floyd Street, and at the corner of Thoburn Street and several other streets need to be cut. They are hitting the fire truck. Mayor Koval, Mr. Krupa and Mr. Bosley will look at these trees and mark where the trees will be cut. Letters will be sent to those residents.

### ENGINEER'S REPORT

Mr. Dave Duray of Hinks & Locher Engineers reported that the 1999 Street Paving project will begin on July 12 and there is a preconstruction meeting scheduled for June 30, 1999 at 1:00 p.m. at the Borough Building.

Mr. Duray stated the minor changes to the Chapin Arch drawings have been approved and bids are to be opened in July. Geological reports have been received for the PineBrooke Development area at the holding pond. Mr. Duray has reviewed the reports and everything is fine. They are waiting for more details and descriptions for the pond. The Engineers are waiting for additional information. Regrade the slide area and revegetate the pond are part of this project. There is some question on the time line for the completion of this project.



Mr. Duray has been in touch with the low bidder (Burgo Construction) for the Recreation Commission Restroom/Storage facility and some items were recommended for deletion. This would change the bid price and this information was sent to the DCNR for approval. Mrs. Czyrnik spoke with Alex Tatanish of the DCNR in reference to an extension of the grant as the expiration date is 12-31-99. Mr. Tatanish will review the information sent by the Engineers and be in touch with them. If an extension is needed they will send a form when necessary. Mr. Duray suggests that Council meet and discuss these changes. On the issue of Path Alley, a request was received for a legal description of the survey done for the residents abutting Path Alley. The residents are to pay for the survey and the legal description, according to Solicitor Lovette. The Attorney representing the residents of Path Alley is to handle the deeds and Ordinance vacating the alley with the easements.

At this time Dr. Kastelic had some question on the survey and asked Council if they would reconsider the possibility of selling a portion of the Water's property. President Pile remarked that Council has made the decision not to sell the property and to keep the property as the trust agreement described as a nature preserve for all times. Council will make stipulations to Budget monies to keep the area in repair and to make the Recreation and School District aware of the parklet.

After questions from the Mabel Street residents, Dr. Kastelic explained that he has only enhanced his property with the new building and additions. He feels he is coming to completion of the improvements. He plans to further enhance the area with shrubs along the wall area. When asked, Dr. Kastelic stated that he has never told any of the children that they were not permitted to walk on the "Chicken Path". He has only improved the walkway, making it much safer for all the walkers.

## COMMITTEE REPORTS

### STREET COMMISSIONER

In Mr. Bosley's absence, Mr. Leventry reviewed the written May report which records basic cleaning on the Building. Performed routine maintenance on all vehicles and equipment. Took recycling trailer to Boswell. Continued work on the garage area remodeling project. Chipped limbs and brush early in month. Replaced new fuel tank for 1994 truck. Began cutting grass, weeds and trees along the Cheney Run fence and wall. Also trimmed and cut trees overhanging into the Cheney Run. Dug holes for Arbor Day. Cleaned up stumps from old trees and filled with topsoil. Filled low spots in alleys with milled material.

### STREET COMMITTEE

Mr. Leventry had no other report, other than the two bid openings for the paving of Borough streets total cost is \$116,818.00. Council had agreed to spend approximately \$125,000.00 in paving for 1999.



ADMINISTRATION & PERSONNEL COMMITTEE

Mr. Strittmatter discussed letters to sign owners along Menoher Blvd. Letters were sent to the sign owners informing them of the violations of PennDot and Borough Ordinances.

Mr. Strittmatter has sent a letter to Tim Miller, AFSCME representative for the Union members for a meeting either on August 10 or August 17, 1999. We are waiting to hear from him. Light Duty regulations will be discussed further. Reminder of the traffic light meeting on June 29, 1999.

POLICE COMMISSION

President Pile reported that the Police Contract/Agreement was submitted to Commission members at the last meeting. Council discussed some points of the meeting. The Contract will be discussed and voted on at the next meeting of the Commission on July 20, 1999 at the Southmont Municipal Building. President Pile urged all Council members to read the new contract and the old contract for comparison. If you have not received a copy please contact the Borough Secretary for a copy.

RECYCLING COMMITTEE

Monthly recycling chart is on file. Volume to date is 22,112#'s. Some question came to light in reference to recycling bins placed on Menoher Highway at Hoss's Restaurant.

INSURANCE COMMITTEE

No report.

BUDGET COMMITTEE

Mr. Rodgers had nothing new to report.

SHADE TREE

Mr. Krupa reported that the Cambria County Forester was in to instruct Borough employees on trimming several shade trees along Leila Street. Residents complimented the Borough employees for the good work. Mayor Koval asked the Shade Tree Commissioner to look at two trees located in the Borough park area near the playground. Mr. Krupa, Jan and Mike Butler will look at the trees overhanging into the streets that are causing problems for the Fire Company.

RECREATION/PLAYGROUND COMMITTEE

Mayor Koval reported that Westmont Hilltop School District had appointed Mr. Mitch Azar to the Recreation Commission to fill the unexpired term of Mr. Tom Elston. After polling the participating members of the Recreation Commission, it was noted that all municipalities are satisfied with the terms of the agreement for the Recreation Commission, with the exception of Westmont who wanted changes made in the responsibility of upkeep. New rental fees will be discussed at the next meeting.

### BUILDING /GROUNDS COMMITTEE

No report. Council recommended that Mr. Kory advise the Recreation Commission and the Westmont Hilltop School District that these areas are available for their use. It was decided that Mr. Kory prepare cost estimates for the replacement of benches and the split rail fence. General clean-up is needed in the parklets along Helen and Gardner Street.

### C.O.G. COMMITTEE

Mr. Rovansek discussed the PennDot Agility program. There are many projects available to the Municipalities through this project. Our paperwork has been sent to Harrisburg and we are waiting for the approval. Some of the items available are line painting, grading of alleys, engineering services and many others. Mr. Strittmatter submitted a list of the agility programs in use in other Municipalities. Mayor Koval suggested possible tree trimming would be another area to request.

Mr. Rodgers asked Mr. Rovansek if the COG had considered a program for wild animals, such as skunks and etc. While COG is talking with other Municipalities on a Dog Enforcement agreement, perhaps this could be considered.

Currently, the City is planning to have a Dog Enforcement program up and running possibly in August. The COG Committee is still in the early stages to determine fees and etc. for other municipalities to join the City program, if interested.

According to the local newspaper the CableComm. is being sold to another Cable Company and this cannot be done without the approval of the Cable Committee. Mr. Rodgers made a motion that we request and advise COG to reactivate the Cable TV Committee, motion seconded by Mr. Leventry. All in favor, motion carried. Kory absent.

### CHAPIN ARCH

PennDot announced a July 29, 1999 schedule for bid opening for the Chapin Arch project.

### MAYOR'S REPORT

Mayor Koval proclaimed June as Stroke prevention month. A motion to approve the proclamation was made by Mr. Rodgers, seconded by Mr. Rovansek. All in favor, motion carried. Kory absent.

### SOLICITOR

Solicitor Lovette has filed an appearance as counsel in the Must -v- Southmont (West Hill Regional Police) Civil case. All files have been forwarded to our Liability Insurance, for their review.



SECRETARY'S REPORT

Mrs. Czyrnik's report records letters were sent to sign owners who placed sign along Menoher Blvd. in PennDot right of way. Consumption and expenditures have been calculated for the Upper Yoder Sewer Authority annual sewer rental increase. Waiting to hear from GJWA and Laurel Management on our request for the annual total consumption from UY. We will compile these figures and the Borough's total annual consumption. Sewer and Garbage billing will be sent out at the end of June for the second half of 1999. Nothing new on the appraisal of Wren St. property.

TREASURER'S REPORT

Mr. Rodgers moved to approve the Treasurer's report for the month of May as submitted in the amount of \$318,770.92 in the General Fund balance. Seconded by Mr. Krupa. All in favor, motion carried.

TAX COLLECTOR

Mr. Rodgers made a motion to record that we received the May Tax Collector's report with no collections and for May, in the amount of Real Estate \$148,038.71 and Per Capita \$3,649.20. Seconded by Mr. Strittmatter. All in favor, motion carried.

APPROVAL TO PAY THE BILLS

After review, a motion was made by Mr. Krupa to approve the Payment of the Bills in the amount of \$24,549.28. Seconded by Mr. Rovansek. Roll Call: Mr. Rodgers, Mr. Rovansek, Mr. Strittmatter, Mr. Krupa, Mr. Leventry and Mr. Pile. All in favor, opposed none. Motion carried. Kory absent.

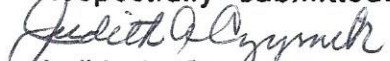
OLD BUSINESS

President Pile asked for review of items on the "Tickler List". Items were reviewed, removed or re-listed. Lyme disease was discussed. Mr. Strittmatter will check with the Health Officer on the possibility of having the assistant Health Officer do the shots if the vaccine is available for Borough employees. Council will further discuss this matter. President Pile had received calls about noise from Lino's. No complaint calls were made to any Council members or the Office.

NEW BUSINESS

There being no further questions, a motion was made by Mr. Rodgers to adjourn the June meeting, motion was seconded by all. Council adjourned 9:25 p.m.

Respectfully submitted.

  
Judith A. Czyrnik,  
Borough Secretary

