

MINUTES  
BOROUGH OF SOUTHMONT  
July 16, 2007 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 16, 2007 meeting of Council convened.

**PRESENT:** President Pile, Mr. Rodgers, Mr. Ewald, Mr. Kory, Mr. Danyluk, Mr. Krupa, Mr. Strittmatter, Mayor: Gerry Sloat arrived at 9:00 p.m., Solicitor: Dan Lovette, West Hills Police Chief: Andy Havas, Engineer: Dave Duray, Fire Chief: Michael Butler, Street Commissioner: Jan Bosley, and Borough Manager: Loretta Spak.

**ABSENT:**

**VISITORS:** Mr. John Lovette, 305 Leon Street, observer.

Mr. Kory requested a moment of silence for Raymond (Richie) Buchan who was killed in Iraq on July 1, 2007; Richie was a member of St. Clement's he grew up in Southmont. President Pile asked council to rise and a moment of silence was observed.

President Pile asked for approval of June 18, 2007 Council Minutes and July 10, 2007 Committee Meeting Notes. Mr. Rodgers made an addition to Committee Meeting Notes under office hours add consensus is to increase Jill's pay by fifty cents (.50) per hour up thru December 31, 2008. Mr. Kory made a statement concerning minutes he feels it is extremely important per Robert's Rule we have one person responsible for taking the minutes and minutes be prepared and given to all at the same time, no one person to see minutes prior to all getting be it for grammar, sentence structure, etc. Minutes should be read at next meeting at which time all council equally can make additions and/or corrections to the minutes. Mr. Danyluk feels that all commentary should be in the minutes or no comments of anyone, lengthy discussion followed. Mr. Krupa made a motion to get a stenographer to take minutes of the council meeting. Seconded by Mr. Rodgers, 4 yeas and 2 nays', motion carried. Ms. Spak will go out for quotes. Mr. Krupa made a motion to approve the July 16, 2007 council minutes, no second. Mr. Ewald would like to see the minute's rewritten, general discussion followed. Solicitor Lovette read from the Borough Code section 1111 - The secretary shall attend all meetings of the borough council and shall keep full minutes of its proceedings. Ms. Spak will contact PSAB for interpretation of section 1111. Mr. Rodgers made a motion to approve the committee meeting notes of July 10, 2007 with addition previously stated (see above). Seconded by Mr. Krupa, all in favor motion carried. Mr. Krupa made a motion to approve the council meeting minutes of June 18, 2007 after removal of his added comments. Seconded by Mr. Rodgers, 6 yeas and 1 nay, motion carried. Discussion followed concerning keeping of the minute tapes. Solicitor Lovette stated the tapes are not official but can be kept as a public record. Typed minutes are not official until Council approves.

**POLICE CHIEF'S REPORT:**

West Hills Police Chief Havas attended a presentation at Westmont Middle School regarding threat assessment in schools. The bike helmet program is going strong receiving many phone calls from parents praising program. Chief Havas updated council concerning issue that arose between neighbors noted on borough office phone log dated July 3<sup>rd</sup>; received confirmation on award of \$9,000 grant for purchase of radar trailer has been approved; pit-bull on Mabel Street was cited as a dangerous dog; two wallets were stolen out of vehicles (no break in, vehicles not locked) from Violet Street wallets found in catch basin in Lettuce Alley. Mr. Strittmatter mentioned cat issue on Daisy Street (new litter), discussion followed.

**ZONING OFFICERS REPORT**

Report shows activity as of 7/13/07 of seventeen (17) permits at a total construction cost of \$118,766.29. Ms. Spak updated council on what office is doing in the interim of no zoning officer. Mr. Rodgers made a motion to advertise for zoning officer (use same ad from previously). Seconded by Mr. Krupa, all in favor motion carried.

**FIRE COMPANY REPORT**

Fire Chief Butler's written report records twenty seven (27) responses during the month of June. There were two calls between the hours of 10 PM to 7 AM. Southmont had eleven (11) assists in June; three (3) to Upper Yoder, one (1) to Riverside, four (4) to West Hills, one (1) to Lower Yoder, and one (1) to Westwood. Fire Chief Butler was approached by Mr. Moskal who owns 114 Peden Lane wishes to donate building for a burn class. Fire Chief Butler informed owner of numerous requirements (DEP permits, state forms, inspections, asbestos testing, Southmont Borough burning approval, cleaning up of debris, etc.). Fire Chief Butler will keep council updated. Ms Spak will look for prior agreement and/or minutes on house that was burned on State Street. Mr. Ewald made a motion to permit burn of 114 Peden Lane provided all agreements and paperwork is completed as required. Seconded by Mr. Danyluk, all in favor motion carried. Fire Chief Butler mentioned low hanging tree limbs he will get a list of streets turned into Borough. Also, entrance to fire station can we place a no parking sign on telephone pole by alley at Wonder Street and paint curb up to Wonder Street. Vehicles are parking there and will interfere if trucks and/or apparatus need to come out of station for call, Mr. Kory will investigate. The June Hilltop Ambulance Association report was received and is on file.

**ENGINEER'S REPORT**

The written Engineer's report for July was received and reviewed. There are some punch list items that need to be taken care of by Quaker Sales for paving. Mr. Duray's estimates \$1,500 to \$2,000 to perform an Emergency Action Plan referencing stream improvement project (re-labeling Cheney Run a flood protection program). Discussion followed. Consensus of council is to go on record that Cheney Run is a stream improvement project not a flood protection program; Mr. Duray will send letter to DEP to this affect.



**COMMITTEE REPORTS**

**STREET COMMISSIONERS REPORT**

Mr. Bosley's written report was received and reviewed. Mr. Krupa mentioned the GIS binder that shows all the maps that have been completed by Aaron and Joe; binder passed around table for review. Mr. Kory passed out Journal of Pennsylvania Geographical Society booklets to council; this booklet explains GIS and its uses. Discussion followed, Mr. Kory informed council if a need arises for a GIS person one would be available.

**STREET COMMITTEE REPORT**

Mr. Danyluk stated almost completed with sidewalk inspection still have a few more areas, will be completed by next meeting. State Street is the divider line and will be included with South or lower section along with Overbrook area, which will be inspected next year. At this time Mr. Danyluk would like to make a motion to enter into agreement that he drafted between Southmont, Mr. & Mrs. Sobecky, and Mr. & Mrs. Truscello concerning steps (Ray Alley). Also, we should proceed with the maintenance and repair of steps. Mr. Krupa, Mr. Danyluk, and Mr. Ewald met with M and T Concrete Construction and Mr. Danyluk met with Concrete & Masonry Unlimited reviewed repair requirements, new quotes will be submitted. A discussion followed consensus of council was to separate agreement from repair of steps. Solicitor Lovette reviewed agreements that were drafted, a very lengthy discussion followed; Mr. Danyluk removed his motion to enter into agreement. Mr. Rodgers made a motion to perform a first class concrete repair of the steps and rail up to cost of no more than \$4,200 and to provide periodic maintenance as needed. Seconded by Mr. Danyluk; roll call: Mr. Rodgers yea, Mr. Ewald yea, Mr. Kory yea, Mr. Danyluk yea, Mr. Strittmatter nay, Mr. Krupa nay, and Mr. Pile nay - 4 yeas and 3 nays motion passed.

**SAFETY, ADMNS. & PERSONNEL COMMITTEE**

Mr. Krupa requested comments, changes, and additions to Time Clock Policy draft to be submitted prior to next committee meeting, which is scheduled for August 14, 2007 at 4:00 p.m. A personnel meeting is also scheduled for August 14<sup>th</sup>. Mr. Krupa made a motion to increase Mrs. Magistro's hourly rate by fifty cents (.50) taking her to eight dollars per hour (\$8.00) effective immediately and will run through December 31, 2008. Seconded by Mr. Danyluk, all in favor motion carried. President Pile requested an executive session at end of meeting.

**POLICE COMMITTEE**

Nothing new to report.

**RECYCLING COMMITTEE**

Mr. Kory has nothing new to report.

**INSURANCE COMMITTEE**

Mr. Rodgers questioned Mr. Bosley on EMC Insurance recommendations (01) Gas-fired water heater flue going into chimney should be sealed (02) Substantial barrier protection of sufficient strength should be erected around gas meter to prevent vehicular damage (03) All materials stored around heat producing device in the boiler room be removed; a

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clear space of at least 36 inches is maintained at all times. Mr. Bosley agrees with all recommendations and stated can be done. Mr. Rodgers made a motion to notify EMC Insurance Company when the three (3) recommendations are completed with a target date of completion being July 31, 2007. Seconded by Mr. Danyluk, all in favor motion carried. Mr. Rodgers updated council on Allied benefit change (salary update on Ms. Spak and Mr. Bosley) effective August 1, 2007 to short term and long term disability.

BUDGET COMMITTEE

Mr. Strittmatter has nothing new to report.

SHADE TREE REPORT

Mr. Krupa informed council on a donation for tree planting that was given as a retirement gift from one resident to another. Mrs. Magistro created a very nice certificate, which was placed in card, informing resident of this donation. Mr. Krupa made a motion to plant a tree in remembrance of Raymond Buchan during Arbor Day 2008. Seconded by Mr. Danyluk, all in favor motion carried.

RECREATION COMMITTEE

Mr. Ewald attended meeting, nothing much discussed. Plan was set in motion for repair of swing-set at Diamond playground. Johnstown Welding and Fabricating to make four foot long powder coated poles to be added to swing poles and swing-set to be placed parallel to Diamond Boulevard. Mr. Ewald is requesting better co-ordination of work force on mutual projects i.e. backboard for basketball court.

BUILDING/GROUNDS REPORT

Mr. Kory's Building and Grounds Annual Report was reviewed. Discussion followed concerning rolled up steel fence lying in front of storage shed, tree fallen on fence at the triangle (corner of Gardner and Helen), the Barnett Street park sign looks very nice, and the garden club did a great job landscaping at park. The maintenance building at soccer field is in very poor shape this will be placed on August 14<sup>th</sup> committee meeting agenda.

COG REPORT

Mr. Ewald has nothing new to report.

GRANDVIEW COMMITTEE

Mr. Kory has nothing new to report.

GREATER JOHNSTOWN WATER AUTHORITY

The June minutes were received. Mr. Pile updated council i.e. people who are leasing land around Dalton and North Fork want another 200 acres for windmills, does not look promising for Johnstown Water Authority to share water with Somerset County, Salt Lick, and floating another bond issue (refinancing 1998, 2002 and 2005). Mr. Pile stated the water authority is not looking at alternatives or other options on bond issue and may become a hot item this fall, will keep council updated.



**MAYOR'S REPORT**

Mayor Sloat has nothing new to report.

**SOLICITOR'S REPORT**

Solicitor Lovette updated council i.e. Professional Family Care & Services tax exemption appeal is not being withdrawn, will see assessor concerning #16 Harding Street municipal lien, and Mr. Rodgers will attend the PLCB noise application hearing on Monday, July 23, 2007 at Johnstown Brewery Company at 12:00 p.m. Mr. Rodgers questioned Solicitor Lovette on who will be paying legal fees generated by Leventry/police court case; Solicitor Lovette informed him the insurance company will be responsible.

**MANAGER'S REPORT**

Ms. Spak's written report was submitted and reviewed. Ms. Spak will review Dominion Peoples letter dated June 29, 2007 and will reply to the request. Mr. Danyluk questioned if Mr. Campigotto, 121 ½ Wonder Street, is paying for two garbage bills; Ms. Spak stated "yes" 121 Wonder Street and 121 ½ Wonder Street a tenant is paying other at 123 Wonder Street. Mr. Ewald updated council on conversation with 9-1-1 concerning address of new home on Orchard. Mr. Rodgers moved to accept the Manager's report. Seconded by Mr. Krupa, all in favor motion carried. Ms. Spak will look into feasibility in purchasing a better quality recorder/tape for meetings.

**TREASURER'S REPORT**

Mr. Strittmatter made a motion to approve June's Treasurer Report in the amount of \$297,814.36. Seconded by Mr. Rodgers, all in favor motion carried.

**TAX COLLECTOR'S REPORT**

Mr. Rodgers noted we received the June Tax Collector's report with Real Estate revenues at \$11,434.72. Seconded by Mr. Krupa, all in favor motion carried.

**PAYMENT OF BILLS**

Mr. Rodgers made a motion to approve payment of bills, holding check for H.A. Thomson invoice 144339 until definition of service fee is verified, in the amount of \$42,167.28. Seconded by Mr. Strittmatter; roll call: Mr. Rodgers, Mr. Ewald, Mr. Kory, Mr. Danyluk, Mr. Strittmatter, Mr. Krupa and Mr. Pile all in favor, opposed none.

**OLD BUSINESS**

President Pile discussed the "Tickler List" and we will remove sanitary sewer GIS. The overhanging shrubbery infringing on Court Alley has not been cut back enough. Mr. Goldblatt did trim back the new growth to blacktop and removed some steel poles. He will need to trim back approximately 2 feet and all steel poles need to be removed. Mr. Rodgers made a motion to have tree company cut back a two foot square section to demonstrate how far back to trim; trimming by Mr. Goldblatt should be completed by August 15, 2007. Seconded by Mr. Ewald, all in favor motion carried. Mr. Carbonara fence, 1046 Menoher Boulevard is to be removed by late summer of 2007 his choice if fence will be replaced.

**NEW BUSINESS**

Mr. Kory mentioned he will be involved with the 2010 census and will keep council updated.

At 9:40 p.m. President Pile called for an Executive Session to discuss personnel issues. At 9:48 p.m. Council reconvened.

There being no further business, a motion was made by Mr. Rodgers for adjournment of the July 16, 2007 meeting at 9:48 P.M. Seconded by Mr. Danyluk, all in favor motion carried.

Respectfully submitted,

*Loretta Spak*, Borough Manager

7/19/2007 2:26 PM