

BOROUGH OF SOUTHMONT
148 Wonder Street
Johnstown, PA 15905

Minutes for January 23, 2012

The pledge of allegiance was conducted and the scheduled January 23, 2012 Council meeting was called to order by President Danyluk at 7:00 p.m.

Present: Attorney Michael Carbonara, Manager Richard Wargo, Sec./Tres. Amanda Claycomb, President Ed Danyluk, Council Members; Richard Rodgers, William Kory, Kevin Pile, and Robert Morgan, Mayor Gregory Paolini, Fire Chief Mike Leckey, West Hills Police Corporal Michael Lose

Absent: Council Members Herb Ewald (out of town) and Thomas Strittmatter (ill), West Hills Police Chief Andrew Havas, Engineer Scott Rugh (excused)

Visitors: Ronald Kautz and Scott Petrusic, Southmont Volunteer Fire Company (observing); Bob Walker, 312 State Street (observing)

Meeting Agenda

A motion was made by Mr. Morgan to approve the December 14, 2011 Council Meeting Minutes. Motion seconded by Mr. Pile. Mr. Ewald and Mr. Strittmatter absent. All in favor, motion carried (5-0). A motion was made by Mr. Morgan to approve the January 3, 2012 Reorganization Meeting Minutes. Motion seconded by Mr. Pile. Mr. Ewald and Mr. Strittmatter absent. All in favor, motion carried (5-0). A motion was made by Mr. Morgan to approve the ratification of payroll from December 15, 2011 through January 25, 2012 in the amount of \$19,043.93. Motion seconded by Mr. Pile. Role Call: Mr. Rodgers, Mr. Kory, Mr. Pile, Mr. Morgan and Mr. Danyluk in favor. Mr. Ewald and Mr. Strittmatter absent. All in favor, motion carried (5-0). A motion was made by Mr. Kory to approve the bills from December 14, 2011 through January 23, 2012 in the amount of \$45,066.34. Motion seconded by Mr. Pile. Role Call: Mr. Rodgers, Mr. Kory, Mr. Pile, Mr. Morgan and Mr. Danyluk in favor. Mr. Ewald and Mr. Strittmatter absent. All in favor, motion carried (5-0). A motion was made by Mr. Rodgers to approve the December 2011 treasurer's report in the amount of \$452,177.71. Motion seconded by Mr. Kory. Mr. Ewald and Mr. Strittmatter absent. All in favor, motion carried (5-0). A motion was made by Mr. Rodgers to note the receipt of the December 2011 tax collector's report in the amount of \$6,165.72. Motion seconded by Mr. Morgan. Mr. Ewald and Mr. Strittmatter absent. All in favor, motion carried (5-0).

Police Chief's Report

Corporal Lose reported the Police Commission will reorganize during the February 2012 meeting.

Fire Company's Report

Chief Leckey reported on January 20, 2012 at approximately 11:00 p.m. Cambria County lost contact with the Southmont Borough fire alarms causing the alarms to go off continuously. Chief Leckey stated the issue is now fixed.

Engineer's Report

Nothing to report.

Zoning Officer's Report

Mr. Wargo reported three zoning permits issued to 100 Susan Drive (sign), 200 Dell Street (new siding), 579 Edward Street (garage). Mr. Wargo reported the curb cut issue at 6 Cox Street is continuing noting the property owner's attorney has sent a letter to the tenant asking him to respond within 14 days. Mr. Wargo reported the garage construction at 579 Edward Street is being closely monitored. Mr. Wargo stated he received a complaint from a Southmont Borough resident stating the new ICARE sign on Menoher Boulevard is a distraction to drivers because of its flashing messages and diminishes the beauty of the hillside. Mr. Wargo stated he contacted the Pennsylvania Department of Transportation to inquire about any complaints received regarding the sign noting PennDOT had not received any. Mr. Rodgers stated the Borough passed an Ordinance or Resolution in the past preventing advertisements on the Easy Grade. Council discussed the sign and agreed the continuous running messages could be a distraction. Mr. Wargo will look into the issue and respond to the resident to thank them for bringing the issue to Council's attention.

Mayor's Report

Nothing to report.

Manager's Report

Mr. Wargo reported he would like to set up a workshop meeting in the near future to discuss the upcoming 2012 sewer projects. A motion was made by Mr. Rodgers to approve advertising Flood Plain Ordinance #490. Motion seconded by Mr. Morgan. Mr. Ewald and Mr. Strittmatter absent. All in favor, motion carried (5-0). Mr. Wargo stated he will meet with Mayor Paolini, Mr. Morgan and Mike Leckey to discuss any changes to be made to the Cambria County Hazard Mitigation Plan so it may be adopted by Southmont Borough. Mr. Wargo reported he received a request from a Southmont Borough resident, Mr. Bill Trevorow, stating his concerns regarding losing businesses in the area to the East Hills area and suggesting a workshop be held with Upper Yoder Township, Lower Yoder Township and Southmont Borough to discuss how to improve the local business districts and bring more tax monies into the area. Mr. Wargo will look into setting up a workshop.

Solicitor's Report

A motion was made by Mr. Morgan to approve Resolution 2012-02, appointing Berkheimer Tax Associates as the per capita tax collector. Motion seconded by Mr. Pile. Mr. Ewald and Mr. Strittmatter absent. All in favor, motion carried (5-0). A motion was made by Mr. Morgan to approve Resolution 2012-03, appointing Berkheimer Tax Associates as the local service tax collector. Motion seconded by Mr. Pile. Mr. Ewald and Mr. Strittmatter absent. All in favor, motion carried (5-0). A motion was made by Mr. Morgan to approve Resolution 2012-04, appointing Berkheimer Tax Associates as the delinquent earned income tax collector. Motion seconded by Mr. Pile. Mr. Ewald and Mr. Strittmatter absent. All in favor, motion carried (5-0). A motion was made by Mr. Rodgers to approve Resolution 2012-05, appointing Berkheimer Tax Associates as the

January 23, 2012 Minutes – Page 3

business privilege/mercantile tax collector. Motion seconded by Mr. Pile. Mr. Ewald and Mr. Strittmatter absent. All in favor, motion carried (5-0). A motion was made by Mr. Pile to approve Resolution 2012-06, appointing the Borough Manager as liaison to Berkheimer Tax Associates. Motion seconded by Mr. Morgan. Mr. Ewald and Mr. Strittmatter absent. All in favor, motion carried (5-0). Solicitor Carbonara reported he and Mr. Wargo will meet with the Southmont Volunteer Fire Company's attorney, Attorney Phyllis Forman to discuss any issues and continue obtaining information regarding the consolidation with Upper Yoder Fire Department. Solicitor Carbonara noted he informed Attorney Forman to invite any others she would like. Mr. Bob Walker inquired whether he could be invited to attend the meeting. Solicitor Carbonara informed him the representatives for Southmont Borough Council were Mr. Wargo and himself noting Mr. Walker would need to inquire with Attorney Forman to be invited on her end. Mr. Walker was not pleased with the response and stated he is a Southmont Borough resident and felt it was his right to attend. Solicitor Carbonara informed Mr. Walker he would not change his position on the matter.

Secretary's Report

A motion was made by Mr. Morgan to approve Jill Magistro's request to dispose of 2004 tax collection records. Motion seconded by Mr. Rodgers. Mr. Ewald and Mr. Strittmatter absent. All in favor, motion carried (5-0). A motion was made by Mr. Morgan to approve the IRS standard mileage rate and any future changes to the IRS standard mileage rate. Motion seconded by Mr. Rodgers. Role call: Mr. Danyluk, Mr. Rodgers, Mr. Kory, Mr. Pile and Mr. Morgan in favor. Mr. Ewald and Mr. Strittmatter absent. All in favor, motion carried (5-0). Ms. Claycomb reported a Southmont Borough resident called the office in November 2011 stating the other half of the dual residence they own has been unoccupied since they took ownership in May 2011 noting the resident stated they would not be paying garbage and sewer maintenance fees for the vacant residence until it is occupied. Ms. Claycomb stated the resident was not satisfied with the Borough's policy on charging every address even when vacant so she informed the resident to voice his concerns to Council. Council briefly reviewed the correspondence received. Solicitor Carbonara stated as long as the property is being used as a dual residence the fees are required to be paid unless the property owner can prove the residence has been converted to a one-family dwelling. Council agreed to have Solicitor Carbonara write a response to the resident.

1) COMMITTEE REPORTS

A. Streets: Mr. Ewald absent.

B. Administration: Mr. Rodgers stated the committee met with Mr. Wargo and commended him for a good year. Mr. Rodgers stated Council should review Mr. Wargo's 2011 completed projects list and the 2012 to do list. Mr. Wargo stated the possibility of purchasing a wood chipper was discussed and he is obtaining information. Mr. Rodgers stated a discussion needs to be held in the near future regarding a better system for moving permits.

C. Personnel: Nothing to report.

January 23, 2012 Minutes – Page 4

D. Police Committee: Nothing to report.

E. Fire Company Committee: Mr. Strittmatter absent.

F. Budget & Tax Collection Committee: Mr. Strittmatter absent.

G. Shade Tree Committee: Mr. Morgan reported Davey's Tree Service was in the area trimming trees for Penelec noting he and Mr. Wargo monitored the trimming. Mr. Morgan stated the application for Tree City USA has been submitted.

H. Recreation Committee: Mr. Pile reported painting has been completed at the Ridge noting they are looking to put in new windows and to complete other various remodeling projects. Mr. Pile noted the programs are going well.

I. Buildings & Grounds Committee: Nothing to report.

J. Greater Johnstown Water Authority: Mr. Pile reported there are 60-70 geese in the North Fork area that are causing problems and a meeting will be held to discuss how to handle the issue. Mr. Pile reported the tank for the Ligonier inter-connection has been finished.

K. Open Records: Two open records requests received. Mike Leckey (Southmont Volunteer Fire Company) November 7, 2011 Minutes; Signature Information Solutions (Trenton, NJ) March 2011 through October 2011 tax collector monthly reports.

An Executive Session was called at 7:50 p.m. regarding legal matters. Executive Session ended at 8:06 p.m.

There being no further business, a motion was made by Mr. Kory for adjournment of the January 23, 2012 meeting at 8:06 P.M. Motion seconded by Mr. Morgan. Mr. Ewald and Mr. Strittmatter absent. All in favor, motion carried (5-0).

Respectfully submitted,
Amanda D. Claycomb
Secretary/Treasurer