

BOROUGH OF SOUTHMONT
148 Wonder Street
Johnstown, PA 15905

Minutes for October 15, 2007

The pledge of allegiance was conducted and the scheduled October 15, 2007, Council meeting was called to order by President Pile at 7:00 p.m.

Present:

President Pile, Borough Manager Loretta Spak, Solicitor Dan Lovette, Council Member Mr. Dick Rodgers, Council Member Mr. William Kory, Council Member Mr. Thomas Strittmatter, Council Member Mr. Ed Danyluk, West Hills Police Chief Andy Havas, Engineer Dave Duray, Fire Chief Michael Butler, Deputy Chief Mike Leckey, and Zoning Officer Jerry Hudson.

Absent: Council Member Mr. Herb Ewald, Council Member Mr. William Krupa out of town, Mayor Gerry Sloat out of town, and Street Commissioner Jan Bosley.

Visitors: Mr. John Lovette, 305 Leon Street, and Mr. John Daloni, 9 Harding Street, observing.

Meeting Agenda:

President Pile asked for approval of the council meeting minutes of September 17, 2007 and committee meeting notes of October 9, 2007. Mr. Rodgers made a motion to approve the council meeting minutes of September 17, 2007 (after making three amendments) and committee meeting notes of October 9, 2007. Seconded by Mr. Kory, all in favor motion carried. Mr. Rodgers suggested not inputting absences after motions. President Pile mentioned Mr. Krupa and Mayor Sloat are out of town and Mr. Ewald had triple bypass surgery. Mr. Rodgers updated council that Mr. Ewald is at home and doing fine.

Police Chief's Report

West Hills Police report for August shows revenue in the amount of \$257.00 (ordinance violations \$129.14 and vehicle violations \$127.86). Police Chief Andy Havas recommends placing a speed limit sign below Pepper Alley on Arlington Street and another speed limit sign facing other direction near 139 Arlington. Mr. Rodgers made a motion to approve Police Chief Andy Havas's recommendation; Police Chief Havas will work with Mr. Bosley to place signs. Seconded by Mr. Danyluk, all in favor, motion carried. Police Chief Havas informed council they are working with crisis intervention and another officer is scheduled to be trained. This will bring West Hill Police to a total of six (6) officers with this specialized mental health training. Mr. Rodgers mentioned workforce has eleven (11) full time officers and eight (8) part time officers. Six out of eleven or six out of nineteen is a good percentage for having this training. West Hills Police will be part of the District Attorney's DUI task force. Mr. Danyluk feels this infringes on individual rights (matter of principal) and would like to discuss further at committee meeting. Discussion followed, checkpoints will be advertised and more details will be forthcoming from Police Chief Havas.

Zoning Officers Report

Mr. Hudson's report was received and reviewed. Report shows activity as of 10/12/07 of thirty four (34) permits at a total construction cost of \$173,371.29. Mr. Hudson updated council on 331 Southmont Boulevard, steps are in disrepair. He spoke with owner who is to repair/replace steps in thirty days; will follow up with BOCA letter if repair is not completed. Discussion followed concerning ordinance #445 solid fences which will be placed on

committee meeting agenda. Mr. Hudson will review fence at 1046 Menoher Boulevard and will inform council of his opinion at next council meeting. Mr. Kory stated "good job" on zoning summary.

Fire Company Report

Fire Chief Butler's written report records seven (7) responses during the month of September. There were two calls between the hours of 10 p.m. to 7 a.m. Southmont had six (6) assists in September; three (3) to Upper Yoder, one (1) to Lower Yoder, one (1) to Menoher Heights, and one (1) to Conemaugh Township. Fire Chief Butler mentioned Greater Johnstown Water Authority has raised four (out of six) fire hydrants and radio equipment has started coming in. Mr. Rodgers made a motion to approve burn agreement between Mr. Moskal and Southmont Borough subject to review and approval of Borough Solicitor. Seconded by Mr. Danyluk, all in favor, motion carried. The training burn is to take place on November 17, 2007 at 114 Pedan Lane. Deputy Chief Mike Leckey updated council concerning the lower siren on Menoher Boulevard which has not been working for approximately two months. Was inspected and it is believed it was hit by lightening. There are two drivers in each speaker (two speakers) which may need replaced at a cost of approximately \$220 per driver (4 may be needed). Discussion followed, Ms. Spak to contact insurance company and see why sirens are not covered. Mr. Danyluk made a motion to approve Tercek Electric to look over siren and to correspond with Engineered Communications on findings. Seconded by Mr. Strittmatter, all in favor, motion carried. The Hilltop Ambulance Association report was received and is on file.

Engineer's Report

The written Engineer's report for October was received and reviewed. Mr. Danyluk made a motion to approve paying Quaker Sales ten percent (10%) retainer from 2007 paving. Seconded by Mr. Rodgers, all in favor, motion carried. Mr. Duray will resend council's response of July 26, 2007 to DEP referencing Cheney Run was not a Flood Protection Project so no EAP is needed. Mr. Bosley will contact Mr. Duray and Mr. Danyluk to schedule fall street inspection and to schedule street meeting to discuss corrective action plan for 2008 (dye testing, televising, overflow on State Street, etc.) need dollar amounts for budget meeting. The budget meeting is rescheduled for Tuesday, October 30th (was scheduled for October 23rd). Mr. Rodgers made a motion to advertise to have all committee meetings start at 5:00 P.M. Seconded by Mr. Danyluk, all in favor, motion carried. Solicitor Lovette requested Mr. Duray to look over Gresh property; council is contemplating purchasing. A lot of timber was removed and afraid there may be ground erosion/sliding (liability); Mr. Kory will contact Southern Alleghenies Conservancy, discussion followed.

COMMITTEE REPORTS

- A. Street Commissioners Report:** Mr. Bosley's written report was received and reviewed. President Pile mentioned the water authority did not find water leak at soccer field line (high usage bill). Mr. Rodgers suggested taking water usage reading before Jubilee and then afterwards and making fire company aware, add to "tickler list". The sidewalk letter asking for compliance should be made resident friendly and will be added to committee meeting agenda.
- B. Streets:** Letter dated September 20th from Mr. Raul Rodriguez-Feo, 118 Arlington Street, referencing curb damage was discussed and will be placed on next committee meeting agenda. We went out for quotes for repair of steps at Ray Alley from the following:

1. White Hat Construction - \$8,700
2. The Concrete Guys - didn't show
3. Mihalko's General Contracting - \$20,535
4. Johnstown Construction - didn't call back
5. Danchanko, Inc. - \$25,516

- Mr. Rodgers made a motion to accept White Hat Construction quote of \$8,700 for repair of steps at Ray Alley; repair should be completed by May 30, 2008. Seconded by Mr. Kory, 4 yeas and 1 nay, motion carried. White Hat Construction can request an extension if completion date of May 30th cannot be reached.
- C. **Personnel:** An Executive Session will be held at end of meeting.
 - D. **Police Committee:** Mayor Sloat not present, no report.
 - E. **Recycling Committee:** Mr. Kory would like to accompany recycling trailer when it next goes to Haresh Pandya; couldn't make it last month.
 - F. **Insurance Committee:** Mr. Rodgers mentioned after first of the year we will be going out for bids. Discussion followed concerning Ms. Spak to call H.A. Thomson and to add (if not already added) the two sirens, how did they get excluded.
 - G. **Budget Committee:** Mr. Strittmatter questioned if County Aid Liquid Fuels monies were received yet. Ms. Spak answered no and will call to see when we can expect monies. Centax collection was discussed. Mr. Danyluk made a motion for Borough representatives (Mr. Pile & Mr. Strittmatter) to contact and meet with Centax to review collection comparison with Westmont school (PAMS). Seconded by Mr. Rodgers, all in favor, motion carried. Solicitor Lovette will follow up to see if restitution is being paid by previous person who embezzled monies from PAMS, no jail time was paying so much per month.
 - H. **Shade Tree Report:** Ms. Orletsky, owner of 175 State Street, does not want trees removed. Discussion followed. Mr. Danyluk made a motion to have Borough engineer determine if trees are on Borough property or on Ms. Orletsky's property. Seconded by Mr. Rodgers, all in favor, motion carried. Mr. Rodgers made a motion to accept the Shade Tree Report. Seconded by Mr. Kory, all in favor, motion carried.
 - I. **Recreation Committee:** September minutes were received. Mr. Kory will follow up with recreation center to perform maintenance on outside of soccer field restrooms. The soccer field fence looks horrible and can be dangerous. Mr. Kory made a motion to have fence repaired, if possible, if fence cannot be repaired then remove. Seconded by Mr. Rodgers, all in favor, motion carried. Mr. Bosley is to remove fences lying by Fire Company shed.
 - J. **Building and Grounds Report:** Mr. Kory mentioned street crew did a good job at Garden & Helen Street Park, looks beautiful; the tree that fell is all cleaned up.
 - K. **COG Report:** Mr. Ewald absent nothing to report.
 - L. **Grandview Committee:** Mr. Kory has nothing to report.
 - M. **Greater Johnstown Water Authority:** The September minutes were received. Mr. Pile chaired the meeting. The water authority is doing a lot of repair work and refinancing options are still being discussed.

Mayor's Report

Mayor Sloat absent nothing new to report.

Solicitor's Report

Solicitor Lovette updated council concerning Professional Family Care & Services tax exemption appeal. He will investigate if the new owners at #16 Harding Street will pay the municipal lien. The tax appeal decision for two Southmont Park Condos did decrease slightly.

Manager's Report

Ms. Spak's written report was submitted and reviewed. Mr. Rodgers made a motion to approve any councilmen plus Ms. Spak who would like to attend the Cambria County Borough's Association dinner on Tuesday, October 23, 2007. Seconded by Mr. Kory, all in favor, motion carried. Mr. Pile, Mr. Rodgers, Mr. Danyluk, Mr. Krupa, and Ms. Spak plan on attending. Ms. Anna Pioli's garbage bill (207 Diamond Blvd & 557 Edward Street) was discussed. Ms. Spak will contact Kris Cramer to install QuickBooks and purchase of a

recorder will be placed on committee meeting agenda. Mr. Kory moved to accept the Manager's report. Seconded by Mr. Strittmatter, all in favor, motion carried.

Treasurer's Report

Mr. Strittmatter made a motion to approve September's Treasurer Report in the amount of \$308,151.24. Seconded by Mr. Rodgers, all in favor, motion carried.

Tax Collectors Report

Mr. Rodgers noted we received the September Tax Collector's report with no Real Estate revenues. Seconded by Mr. Kory, all in favor, motion carried.

Payment of Bills

Mr. Strittmatter made a motion to approve adding \$1,750.00 Kaminsky, Thomas, Wharton & Lovette payment to the bills for a new total of \$65,398.37. Seconded by Mr. Danyluk; roll call: Mr. Rodgers, Mr. Kory, Mr. Danyluk, Mr. Strittmatter, and Mr. Pile all in favor, opposed none.

Old Business

Council does not see any activity in removing of brush/limbs from Kriak hillside. Mr. Danyluk mentioned Mr. Bosley needs to contact the engineer and get the old maps P. C. Rizzo had of Borough. President Pile noted the following reports have been received: office phone logs, managers' diary's, street commissioner diary's, website usage statistics, centax receipts, RJ's grass cutting. President Pile reminded all to complete items on their "to do" lists. Some of the items are getting quite old. The street light repair list was discussed and lights need to be inspected if completed.

New Business

The next committee meeting date is scheduled for November 6th at 5:00 p.m. Ms. Spak will contact PMRS to question the excess interest award worksheet; will add to committee meeting agenda. A cat trap should be purchased. The cat trap we have should be placed at 117 Dahlia Street. Mr. Rodgers mentioned we need to look for a solution to the cat problem.

At 9:10 p.m. President Pile called for an Executive Session to discuss personnel issues. At 9:32 p.m. Council reconvened. President Pile stated no action taken. Committee meeting date is changed from November 6th to November 13th for above mentioned committee meeting agenda items. A committee meeting is scheduled for November 6th with an open agenda.

There being no further business, a motion was made by Mr. Rodgers for adjournment of the October 15, 2007 meeting at 9:35 P.M. Seconded by Mr. Kory, all in favor motion carried.

Respectfully submitted,

Loretta Spak, Borough Manager

11/20/2007 10:29 AM