

MINUTES
BOROUGH OF SOUTHMONT
September 21, 1998 7:00 p.m.

The regularly scheduled September Council meeting was called to order by President Pile at 7:00 p.m. After the pledge to the flag, the September 21, 1998 meeting of Council convened.

PRESENT: President Pile, Mr. Rodgers, Mr. Leventry, Mr. Krupa (8:10 p.m.) , Mr. Kory, Mr. Strittmatter, Mayor Lary Koval, Engineer: Dave Duray, Secretary: Judith Czynnik, West Hills Police: Chief Andy Havas, Solicitor: Daniel R. Lovette, Fire Department: Fire Chief Michael Butler and Zoning Officer: Fred Pullen, Hilltop Ambulance: Jim Dailey.
ABSENT: Mr. Rovansek, prior commitment.

VISITORS: Dr. Richard Kastelic 56 Gardner Street
Mrs. Marilyn Cramer 445 Southmont Blvd.

President Pile asked for approval of the August 17, 1998 minutes . A motion was made by Mr. Rodgers to accept the minutes as written. Seconded by Mr. Leventry. All in favor, motion carried.

At this time, President Pile called upon Mrs. Cramer who is requesting that Council install a storm drain at the bottom of her driveway. Mrs. Cramer stated that it was Borough property. The drain would help with the run-off water coming from abutting property above her in Upper Yoder Township and from the water run-off on her property. Mrs. Cramer stated that a new home was built above her in Upper Yoder Township and since that time the run-off is much greater than it was before. There are catch basins below her property however they are not handling the run-off. She is willing to pay for the grate and have the Borough install it. After discussion, Mr. Leventry suggested that his Committee look at the problem and get back to her with an answer.

Dr. Kastelic attended the meeting to see if there were any answers to his requests about purchasing the former Waters property owned by the Borough and adjacent to his property on Gardner Street. Solicitor Lovette reviewed the deed and the restrictions are that the property remain a rustic walking park and be used for no other purposes. There is a Mellon Trust agreement referred to in the deed and Solicitor Lovette would have to research further. Solicitor Lovette does not know if this property can be conveyed. This restriction would remain on the deed in the event it could be sold. Dr. Kastelic expressed interest in continuing the research of this Trust agreement, at his expense. Dr. Kastelic will send a letter requesting that he is willing to pursue the research of this property at his expense and Council will meet and have an answer for him at the next meeting. On discussion, Council decided to address the sale of Borough Properties along with the Policy and Procedures manual and Fee schedules at a Committee meeting on October 6, 1998 at 7:00 p.m. Council further decided to meet on October 13, 1998 at 7:00 p.m. to begin 1999 Budget preparations.

POLICE CHIEF'S REPORT

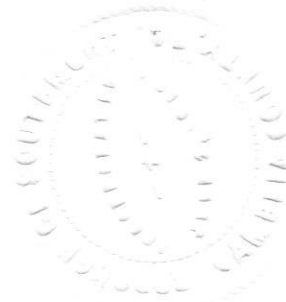
Chief Havas reviewed the written report submitted. Revenue for the month of August was \$1,237.41. Chief Havas reported on a program being offered for invisible marking pens for sale to the public at \$2.00 each. The markings can only be observed with a black light. A letter of commendation was received from Conemaugh Township Police for Officer Stutzman, Officer Watts and Officer Fisher in a case where the defendant was found guilty of several violations. Another letter was received from Trooper Lampel of the Pa. State Police, Indiana Barracks. Trooper Lampel needed assistance on the night of August 12, 1998 and Officer Watts and Officer West responded and acted with professionalism.

On the subject of the meeting with PennDot on September 2, 1998 to view the operations of the traffic light on Menoher Blvd. at Gardner Street and Luzerne Street. During the meeting it was determined that a revision should be made allowing more time to Menoher Blvd. This was done, however, PennDot feels the light and signals are working properly, in accordance with the diagrams. Mr. Bosley will make the Police aware of traffic pattern changes necessary for the construction of the retaining wall on Southmont Blvd. There will be a meeting on Tuesday, September 22, 1998 to discuss this and the relocation of GPU's light pole and wires which are in the wall construction area. Mr. Bosley will notify Chief Havas about the meeting.

ZONING OFFICER'S REPORT

Mr. Pullen's written report records 4 new permits were issued since the July meeting, with an estimated construction cost of \$315,879.00. The year to date estimated construction total is \$1,291,879.00. A continuation hearing on the Haidar property at 1070 Luzerne Street will be held on October 8, 1998. At the May 13th hearing, Mr. Haidar was ordered to clean up the rubble, instead he has added several loads to the pile. Mr. Charles Glass, Assistant Zoning Officer will attend the hearing.

The Zoning Hearing Board will meet on September 23, 1998 to hear the appeal of C & D Associates on a 10 foot set back for Lot No. 3 and they are requesting a similar set back on the Lot No's. 1,6,7,8 & 9. The reason for the request is the slope of the hillside resulting in excessive excavating costs. Mr. Pullen is suggesting that the one time Appeal Fee for a Zoning Hearing be increased to \$450.00 in order to pay the Zoning Hearing Board members \$10.00 a meeting. For information of Council, Mr. Pullen reported that the Building Permit issued to Brian Chirillo for Lot No. 3 on Cheney Oak Drive has expired. Mr. Chiodo advised us that the project is still a go, however it will be moved from the Lot No. 3 property to possibly Lot No. 6. (opposite side of Cheney Oak Drive). Mr. Rodgers made a motion to approve any member of Council, Mr. Pullen and/or Mrs. Czynnik to attend the Zoning Seminar in Greensburg on October 22, 1998. Seconded by Mr. Leventry. All in favor, motion carried. There is an \$80.00 registration fee.



FIRE COMPANY REPORT

Chief Butler's written report records that the Department had 24 responses during the month. The fire hydrant has been installed at the McCullough House on Cheney Oak Drive, however there is a problem concerning the installation of the hydrant between the Greater Johnstown Water Authority and C & D Associates. The Fire Department checked the flow rate of the hydrant in GPM and determined that it exceeds the Fire Dept's. standards. There was some discussion from the Solicitor and the Engineers. It was decided that Mr. Duray will request a letter from Laurel Management when it is accepted. Chief Butler reported that it might be necessary to remove a tree on Thoburn Street in order to allow better visibility from the new garage entrance of the Fire Department. Chief Butler reported that the Fire Company has decided to forego the Annual Turkey raffle due to their fund drive for the new Building. The new addition to the Fire Company is expected to be completed by the end of the month. On the subject of the letter from Westmont asking Southmont to join them in another survey of fire and ambulance services. After Council discussion, it was the consensus of Council to write Westmont a letter requesting results of their survey with the City of Johnstown, and then after review possibly a further survey could be made.

The Hilltop Ambulance Annual fund drive was discussed. A letter was sent by Southmont Borough to Hilltop Ambulance, requesting some information on the by-laws of the Association. In response to our letter, Mr. Dailey, Southmont's representative, explained that the Ambulance Association checks with the member municipalities to schedule their fund drives at different times from the others. The Association submitted to Council a copy of the Advisory Board Organization guidelines. Mr. Dailey reviewed with Council the outline of the meeting, budgets, meeting schedules and fund drives. After discussion, Council requested that the Borough receive a letter before any future fund drives are scheduled. The Council requests that minutes, annual budget and appointments be faxed to us monthly or when any changes are made. Mr. Dailey will inform the Association of the request.

ENGINEER'S REPORT

Mr. Dave Duray of Hinks & Locher Engineers reviewed with Council the meeting with F. M. Sheesley Construction on the retaining wall on Southmont Blvd. There is a notice to proceed for September 23, 1998. Sheesley has requested that the area be made one way down Southmont Blvd. and the upcoming traffic will be one way on Langhorne Ave.

The shed at the Community Park (Wonder St.) has been completed with the exception of the plumbing and electrical installation. We need bid documents and estimated costs prepared before we can proceed, under the guidelines of the DCNR grant. A motion was made by Mr. Leventry and seconded by Mr. Strittmatter to approve Hinks & Locher Engineers to prepare the documents. All in favor, motion carried.



Mr. Duray reported on the meeting at the PineBrooke Development site held on September 15, 1998. Mr. Duray reported that there are still some minor deficiencies. Since the prior meeting on July 28, 1998 some of the items were corrected. The road was regraded and dead trees were removed. Some corrections were made to the holding pond (basin) however, Mr. Duray feels some additional work needs to be done to stabilize the area. Mr. Duray stated that the Borough should not accept this facility until it has been approved by the Cambria County Conservation District. There was some discussion on the fence around the pond. Solicitor Lovette reaffirmed that before any part of this pond is accepted or any payments are made we will check with the CCCD, the DEP and our Liability carrier, confirming his letter of August 19. Mr. Duray believes that the Developer has made some progress in resolving the outstanding deficiencies, however he recommends that the Borough not accept any portion of this development until all issues are completed, and the disturbed areas are fully stabilized and are accepted by appropriate agencies. A complete breakdown has been submitted to Council dated September 21, 1998.

COMMITTEE REPORTS

STREET COMMISSIONER

Mr. Bosley's written report records that they did routine maintenance work on the building, trucks and Borough properties. Continued to check input flows at sanitary sewers for Corrective Action Plan. The berm along Stillray Street was widened before paving. Repaired area around three catch basins on Logan Street before paving. Performed maintenance along Cheney Run stream, as outlined in the most recent inspection. Repaired the concrete in the underground stream sections, removed dead trees, repaired the fence and cut the weeds. Painted crosswalks along Menoher Blvd. Painted several areas at curbs and berm edges along Susan Drive. Installed delineators to indicate catch basins. A blacktop ramp was installed on a hooded catch basin on Susan Drive. Cut back curb to widen the driveway at the Recycling shed. Lowered curb on Leon Street at Artichoke Alley for residents to access their garages. Mr. Bosley has received a quote on a plow for the 1990 pickup truck in the amount of \$3,000. On a request from area residents for "Watch Children " signs, Mr. Krupa, seconded by Mr. Leventry made a motion to approve installing the signs at Harshberger between Daisy and Dahlia Streets and on Plum Alley off Thoburn Street. All in favor, motion carried. Mr. Bosley questioned if the Fire Company needed a handicapped parking space at their new building. It was decided that it was necessary and Mr. Bosley will talk with the Fire Company about where they want it. Mr. Bosley and Mr. Leventry met with Dan Kresko in reference to the request to purchase an odd shaped portion of the right of way along his property at 439 Southmont Blvd. He wants to build on this lot and have the same amount of set back as his house next door. The driveway will enter Elim St. rather than Southmont Blvd. His original drawing was not correct and he explained the section of right of way he is interested in. There is about a 100' right of way at this particular area of the Blvd. After discussion and explanation Mr. Leventry felt it would not be a problem. This can be discussed at the meeting on October 6, 1998. We will need Mr. Kresko to have his survey and description prepared to submit to the Borough for review. Solicitor Lovette would need this information in order to convey a deed for that right of way section. It is approximately 20' x 90'.

STREET COMMITTEE

Mr. Leventry reviewed with Council the results when they viewed the video of the sewer line at 230 Wonder Street ,the Benner property. The Committee believes that the back up into the basement can be eliminated if they install a "y" fitting in the sanitary sewer line for Mrs. Benners sewer line and eliminate the existing "T" connection. The Borough would need an easement or release to do this work. A motion was made by Mr. Leventry approving Hinks & Locher to survey and to prepare a description for any documents necessary to do this work. Seconded by Mr. Strittmatter. All in favor, motion carried. The new truck might be ready within the next two weeks.

ADMINISTRATION & PERSONNEL COMMITTEE

Mr. Strittmatter submitted a second draft copy of the Policy and Procedures Manual and a draft of the fee schedule for the Borough. An October 6th meeting has been scheduled. At that time the Committee will review the Manual, Fee Schedule, the independent Performance Audit, a proposal from Portage Bank for investment of funds, and personnel evaluations.

POLICE COMMISSION

President Pile reported only that the Police Commission will meet on Tuesday, September 22, 1998 at the Brownstown Municipal Building.

RECYCLING COMMITTEE

No report.

INSURANCE COMMITTEE

Mr. Kory made a motion to approve the Highmark Blue Cross-Blue Shield group coverage for the year October 1998 thru Sept. 1999. Seconded by Mr. Rodgers. All in favor, motion carried.

BUDGET COMMITTEE

Mr. Rodgers requested that various committee Chairmen get their budget requests in before October 1st. The Budget Committee will meet October 13, 1998. Council reviewed the Municipal Minimum Obligation for 1999, required to be submitted to Council by September 30, 1998. Mr. Rodgers reviewed the PSAB/UC Plan rate for 1999. It will remain the .0350 rate due to amount paid in to unemployment compensation and the lay-off of the seasonal workers each year.

SHADE TREE

Mr. Krupa reported that he has been in touch with an arborist from the Penn State area. He has set a tentative date of September 26, 1998 from 12 :00 p.m. to 3:00 p.m. to look over at least 12 trees for possible removal. Letters will be sent to the Commission members. Mike McNamara of GPU informed Mr. Krupa that after the beginning of the year he is being sent to Reading and GPU would no longer be trimming trees. Two residents received notice about replacing trees and one about having a tree removed because of the danger of damage or injury. Residents along Southmont Blvd. will also be sent reminder letters about overhanging trees and their responsibility.

RECREATION/PLAYGROUND COMMITTEE

Mayor Koval reported that Cliff Kittner, the newly appointed Director has left the Westmont Hilltop Recreation. A new Executive Director has not been approved, to date. Selective tree bidding quotes will be received for the Ridge tree cutting. No changes on the soda vending proposal, to date. Mr. Dennis Hammers has been released and returned to work, beginning September 1, 1998.

BUILDING /GROUNDS COMMITTEE

Mr. Leventry reported on the weekly Fire Company's construction meetings every Thursday at 1:00 p.m. and that the project is progressing. No other report.

C.O.G. COMMITTEE

In Mr. Rovansek's absence, Mr. Strittmatter reported that the PennDot Agility agreements for services and activities were discussed. No other report.

CHAPIN ARCH

Mr. Kory reported that UPJ students will be doing Historical reports on Chapin Arch, Southmont Borough and Grandview Cemetery this year. Nothing other to report until Spring.

MAYOR'S REPORT

Mayor Koval attended a meeting Sept. 10, 1998 in reference to tornadoes. Mayor Koval continues to review trees or shrub trimming complaints, and letters have been sent. He is following up on the trimming. Mayor Koval questions the letter from Mr. Merlo's attorney with reference to the cutting of his overhanging hedges. Solicitor Lovette will call the attorney to discuss the problem. Mayor Koval would like to attend the PSAB Fall Leadership Conference, Saturday's session only, November 14, 1998. A motion was made by Mr. Rodgers to approve any Council members and the Mayor to attend the Fall PSAB Session. Seconded by Mr. Kory. All in favor, motion carried.

Mayor Koval reminded Council that we will need to make an appointment for the Board of Health because of the unexpected passing of Dr. George Hanzel. Council asked if any members had a recommendation to please bring the names to Council at the next meeting.

SOLICITOR

No other report.

SECRETARY'S REPORT

Mrs. Czyrnik's report records that agreements are on file for the paving of Path Alley for Muncert and for Kastelic on Thoburn Alley. A review is being done by GPU Energy on the amount of Kilowatt hours used during the month. The Liquid Fuels Audit was done by PennDot for the 1998 Paving Project. All was in order. The 1999 Minimum Obligation report was submitted to the Council. Upper Yoder Township and Grandview Cemetery have been invoiced for their 1998 contributions.

The 1998 County Borough's Association will hold their annual Conference at the Imperial Room in Ebensburg. Mr. Pile will attend the Tax Appeal of C & D Associates on October 6, 1998

TREASURER'S REPORT

Council approved the Treasurer's report for the month of August in the amount of \$356,152 .68 in the General Fund balance. All in favor, motion carried.

TAX COLLECTOR

Mr. Quinn's written report for the August Report records \$1,420.78 in Real Estate collections and \$99.00 in collections for Per Capita. A motion was made by Mr. Rodgers that we receive the Tax Collector's report, seconded by Mr. Kory. All in favor, motion carried.

APPROVAL TO PAY THE BILLS

After review and there being no questions, a motion was made by Mr. Rodgers to approve the Payment of the Bills in the amount of \$24,060.83. Seconded by Mr. Krupa. Roll Call: Rodgers, Strittmatter, Krupa, Kory, Leventry and Pile, all in favor. Opposed none, motion carried. Rovansek, absent.

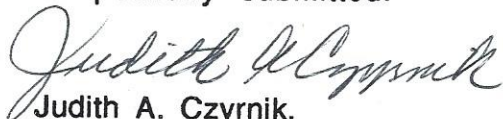
OLD BUSINESS

Items on the "Tickler List" were discussed. Items were reviewed, removed and re-listed.

NEW BUSINESS

Mr. Glass, Southmont's representative to the Greater Johnstown Water Authority forwarded information to Council on a letter received from PA American Water Company, requesting to initiate some discussion to explore benefits of acquisition. The GJWA tabled the discussion with PA American Water Company for now. There being no other discussion, Council adjourned 9:00 p. m.

Respectfully submitted.



Judith A. Czyrnik,
Borough Secretary

