

MINUTES
BOROUGH OF SOUTHMONT
May 19, 1997 7:00 p.m.

The regularly scheduled May Council meeting was called to order by President Pile at 7:00 p.m.. After the pledge to the flag, the May 19, 1997 meeting of Council convened.

PRESENT: President Pile, Mr. Rodgers, Mr. Leventry, Mr. Krupa, Mr. Kory, Mr. Davis, Mr. Danyluk, Solicitor: Daniel R. Lovette, Mayor Robert Morgan, Engineer: Ron Walker, Zoning Officer-Fred Pullen, West Hills Police: Andy Havas, Street Commissioner: Jan Bosley, Fire Department: Michael Butler (7:35 p.m.), and Secretary: Judith Czynnik

ABSENT:

VISITORS: Julie Sythe-Director, Westmont Hilltop Recreation
Hilda Benner 230 Wonder Street Jeff Griffith 121 Arlington Street

At this time President Pile asked for approval of the April 21, 1997 regular Council meeting minutes. There being no question or correction, Mr. Krupa made a motion to approve the minutes as written. Seconded by Mr. Leventry. All in favor. Motion carried.

VISITOR'S

At this time President Pile called upon Mrs. Hilda Benner who was interested in the results and findings of the televised storm and sanitary lines in her area. Mr. Leventry stated that the Committee will look at the films and meet with Upper Yoder Township to determine what work will be done on the open Cheney Run stream. The Committee stated that they will not be putting the stream under ground because of the cost. The Borough will maintain the stream, and clean out the debris and silt. This work will be done this year, hopefully this spring. We are looking into using the proper vacuum equipment to help clean it out. Mrs. Benner said she has not had any recent problems with the sanitary sewer back-up, to date.

President Pile moved Ms. Julie Sythe up on the agenda to talk about the prior and current 5 year plans for the Recreation Commission, based on the request for the additional 1/4 mill contribution. Ms. Sythe submitted to Council the previous 5 year plan schedule indicating the projects that were completed and those that have not been completed. For the years 1993 thru 1997 most projects were completed, exceptions being, work at the Ridge. While that work was not completed, three playground projects were added to the plan. The Ridge is the biggest and most costly recreational site in the Commission. Ms. Sythe has applied for a grant for the next five year plan to make the needed renovations at the Ridge. It would be a matching grant in the amount of \$47,000.00. The funds can be over a two year period, or extended if need be.

Ms. Sythe is looking for corporate sponsorship, private foundations, or local charities. Mr. Danyluk and Mr. Rodgers feel the Ridge is very costly and would like to know if our residents are utilizing the Ridge. Ms. Sythe will prepare a list of the people and schedules that the Ridge is used throughout the year.

The Commission is looking for ways to make the Ridge more useful throughout the entire year. Ms. Sythe thanked Southmont for the in-kind services that each Municipality provides to the Recreation Commission. Mr. Rodgers thanked Ms. Sythe for the excellent presentation. Another project has been proposed by the Johnstown Chiefs for the roller hockey courts in Southmont. The project calls for a board fence to be installed, with advertising being the main source of income for construction. This will be discussed at future Recreation meetings.

Mr. Jeff Griffith of 121 Arlington Street asked Council about the schedule for fixing the storm line that runs through his property. His property has been sinking over the past two years. Mr. Leventry stated that his Committee will look at the films. They are looking to do this project this year. Mr. Rodgers made a motion to approve the Engineers doing a survey for legal descriptions for the Solicitor to prepare easements for the work on their property. Seconded by Mr. Davis. Mr. Leventry asked that the Engineers have preliminary costs prepared for next Council meeting.

After discussion, the Committee will look at the natural stream in this area so any possible piping that might be needed could be done at the same time.

POLICE CHIEF'S REPORT

Chief Havas's written report records revenues for April in the amount of \$600.57. Crime prevention programs were presented by Officer Mulkey at the Our Mother of Sorrows Elementary School, and at the Westmont Middle School. Two other programs are scheduled for May 18th at St. Theresa's Church and May 29th at the Southmont Borough Municipal Building.

Chief Havas reported that he has made approximately 15 to 19 construction observation complaints to the Borough since the last meeting. The Department has scheduled officers for the Jubilee on the request of the Fire Department. A discussion was held on WHRP officers assisting other officers in neighboring municipalities. Chief Havas reviewed the County Mutual Aid Agreement that has been signed by all municipalities in the County.

ZONING OFFICERS REPORT

Mr. Pullen's written report records 6 new permits have been issued for this month with a construction cost of \$13,350.00. This brings the year to date construction cost to \$93,059.00. Mr. Pullen noted that 19 complaint records have been received from WHRP and thanks Chief Havas for the notifications.

Mr. George Haidar had asked to be on the agenda but did not attend. Mr. Pullen reviewed with Council a request for a building permit to build a retaining wall and a parking area 50' x 60'. No other description was received and since this is insufficient information for a permit, Mr. Haidar will be so advised by letter from Mr. Pullen. Council agreed the letter should be sent as presented. Mr. Pullen will send a copy to Zoning Attorney Pat Kiniry.

FIRE COMPANY REPORT

The written report submitted by the Fire Company records total responses at 10 for the month. Chief Butler reported a new air booster pump was installed on the cascade system in the Rescue unit. The unit will be out of service for two days for the installation. Chief Butler reported that the Worker's Compensation no longer will cover the Firemen's participation in water battles. The Fire Company has arranged to have a band for Tuesday night of the Jubilee from 7 p.m. to 10 p.m. Thursday will be the parade and Friday night the fireworks. Certificates are on file in the Secretary's office. A request to place the Jubilee schedule signs on Borough property was approved by Mr. Rodgers and seconded by Mr. Danyluk, All in favor, motion carried.

Mr. Danyluk reminded Chief Butler that the equipment in the furnace room must be removed according to safety regulations. Mr. Bosley will find space for some of the equipment.

ENGINEER'S REPORT

Mr. Walker reviewed the 1997 Street Paving program with Council. He will prepare the specifications and advertise for opening at the June 16, 1997 meeting. A motion was made by Mr. Leventry to approve advertising the 1997 Street Paving program for bid opening June 16, 1997. Seconded by Mr. Danyluk. All in favor, motion carried. Mr. Walker will look into the possibility of Westmont doing the milling at Menoher/ Diamond and Luzerne/Diamond intersections when they mill Luzerne Street. We are not milling any other areas this year. Mr. Danyluk made a motion to approve the Engineers approaching Westmont about the milling. Seconded by Mr. Davis. All in favor, motion carried. Mr. Bosley had a question on the catch basins at the Diamond Blvd-Luzerne Street intersections. Mr. Leventry, Mr. Walker and Mr. Bosley will look at these catch basins. The area of Southmont Blvd. below the Overbrook Church where the sidewalk and street has sunk because of cracked and deteriorating concrete retaining wall. The problem is to determine responsibility for replacement of the wall before street paving can be done. Before any paving can be done the retaining wall will need repaired. After discussion, a motion was made by Mr. Danyluk to survey the wall for its exact location on the Borough map. Seconded by Mr. Leventry. All in favor, motion carried.

A list of the US Army Corp. of Engineers review of the Cheney Run flood project was found to be acceptable. Recommendations are to continue with maintenance as outlined in the report.

COMMITTEE REPORTS

STREET COMMISSIONER

Mr. Bosley reported that he will be scheduling the installation of the fence at the roller hockey courts within the next two weeks. Mr. Bosley's written report records routine maintenance was performed on the vehicles and equipment. Yellow lines were painted on a few curves in the Borough. Some sections of the fence at the softball field were repaired. Began filling some of the low spots in alleys. Installed lock on Council room door. Picked up gravel and other debris swept up by residents. Began removing old street signs and installing new signs and posts.

Westmont has approved the change in speed limit on Millcreek Road from 35 mph to 25 mph. The Secretary will get a copy of the Ordinance from Westmont before Southmont approves.

STREET COMMITTEE

Mr. Danyluk reported on the meeting with Mr. Ed Williams of PennDot in reference to our request on Menoher Blvd., Susan Drive turn and other intersections in the Borough. Mr. Williams stated no changes will be made on the Easy Grade at this time, the climbing lane is working as is. He is recommending that line painting be done at the Susan and Diamond intersection, also at the Harshberger and Daisy intersection. There are some shrubs in the right of way that will need to be moved, according to Motor Vehicle Code. He is recommending no change at the Daisy, Dell and Edward Street intersection. A motion was made by Mr. Danyluk to approve the recommendation made by the PennDot representative. Seconded by Mr. Rodgers. All in favor, motion carried. The tree in the right of way along Menoher at Susan Drive will be cut down by PennDot under their tree cutting program.

Mr. Leventry reviewed with Council a bid that was received from Mr. Jeffrey Masterson of 322 Southmont Blvd. in the amount of \$250.00 for the eight Borough plots along State Street. Property identification number 55-07-229 was appraised recently at \$250.00. No value was placed on numbers 228-227-226-225-224-223-and 222 at that time, but are included in Mr. Masterson's bid. After discussion, a motion was made by Mr. Danyluk to decline and refuse the offer made by Mr. Masterson. Seconded by Mr. Rodgers. Four (4) in favor, opposed three (3). Motion carried. Letters will be sent to neighbors of the State Street property making the property available to them.

ADMINISTRATION & PERSONNEL COMMITTEE

Mr. Rodgers reported on a meeting that was held with Principal representatives Jim Brett and Mary Jo Berinni. After discussion and review a motion was made by Mr. Davis to terminate the Police Pension Fund with the Principal Group, Minnesota Mutual and PLIGIT as of August 1, 1997. Seconded by Mr. Rodgers. All in favor, motion carried. The Committee will meet Tuesday, May 20, 1997 on Borough Audits and Personnel Issues.

POLICE COMMISSION

West Hill Regional Police will hold the first of the four monthly meetings that are to held at the Borough Building, Wednesday, May 21, 1997.

RECYCLING COMMITTEE

No report other than Mr. Rodgers made a motion to open the bids for the leaf loader equipment. Seconded by Mr. Danyluk. All in favor, motion carried. Six sets of specifications were mailed out and only two responded. Stephenson Equipment responded that they were unable to bid this equipment. A & H Equipment submitted a bid in the amount of \$29,995.00. No other bids were received. A motion was made by Mr. Rodgers and seconded by Mr. Danyluk to accept the bid of \$29,995.00 from A & H Equipment, pending review by Solicitor and Street Commissioner. All in favor, motion carried.

INSURANCE COMMITTEE

Mr. Kory had no report other than the recommendations of the liability loss control inspection with PIRMA representative, Mr. John Johns. A motion by Mr. Rodgers, seconded by Mr. Davis, was made to consider and follow the recommendations made by the inspection. All in favor, motion carried. A copy will be sent to Ms. Sythe as to the recommendations to the playgrounds. Charts will be made for documentation.

BUDGET COMMITTEE

Mr. Rodgers reported on the meeting with the School Board on PA Municipal Service collections of the Earned Income Tax. Mr. Carpenter documented that PMS is not meeting regulation. It was the consensus that the School District will request bids for services by other collection agencies by September 30, 1997. Westmont, Upper Yoder, and Southmont possibly will go with the collection agency, as all belong to the same school district. Audit procedures will be specified.

SHADE TREE

Mr. Krupa reported that the Arbor Day celebration on April 26 at 10:00 a.m. was held at the corner of Leila and Helen Streets. Eight snowdrift crabapple trees were planted. Two trees were paid for by the residents of 321 Leila Street. A letter has been sent to Grandview thanking them for cutting down the tree on Millcreek Road. Also letters were sent to residents who have contributed to the Urban Forest. Their names will be added to the plaque. Mr. Krupa is trying to schedule an arborist regarding some of the questionable trees in our area.

RECREATION/PLAYGROUND COMMITTEE

Mr. Pile reviewed a letter from the Recreation Director on the poor conditions of the wooden play structures at the Wren Street playground. A motion to remove the wooden structure by Borough forces at Wren Street was made by Mr. Danyluk and seconded by Mr. Rodgers. All in favor, motion carried. A letter will be sent to the Recreation Commission, informing them of the removal.

Mr. Pile reviewed with Council the proposed renovation to the Soccer/Ballfield area. After review a motion was made to accept the proposal from Lichtenfels Nursery for work on the small ball diamond for \$699.00 and on the large diamond field in the amount of \$1368.00, by Mr. Kory. Seconded by Mr. Davis. All in favor, motion carried. Mr. Rodgers asked that we get more than one bid on any future proposals. After the study is complete on the Ridge, Mr. Rodgers suggests that Council has a Committee meeting to discuss the findings of the study.

BUILDING /GROUNDS COMMITTEE

No report. The repairs were made to the boiler and an invoice for the work is on the bill sheet. Mr. Danyluk felt the invoice should not be paid at this time, and review the heating specifications on the boiler installation. He will also check with the Department of Labor and Industry on their specifications at that time.

C.O.G. Report

Mr. Krupa reported that he attended the monthly meeting of COG. There will be a "white appliance" pick up on June 7, 1997 at Roxbury, Patton and the Richland Mall. There is a workshop in Monroeville on June 30, 1997 on "How to Improve C.O.G." A motion was made by Mr. Rodgers to approve attendance by Mr. Davis to the COG workshop in Monroeville. Seconded by Mr. Danyluk. All in favor, motion carried.

CHAPIN ARCH

Mr. Kory reported that things are moving along on the deeds prior to PennDot's construction at the Arch and the Borough turning the deeds over to the Southwestern Conservancy. Mr. Kory will send a letter to Mr. Len Liehuar on the cooperation of the Cemetery, Borough and Conservancy.

MAYOR'S REPORT

Mayor Morgan prepared a Proclamation recognizing Westmont Hilltop Recreation and proclaiming July 1997 as Recreation & Park Month.

Mayor Morgan reported on the Cable Comm updates, to begin in June on the fiberoptics. There will be 80 channel capacity when complete.

SOLICITOR

Solicitor Lovette prepared the deed and is waiting to hear back from the State on the deed to the right of way at the Arch, then he will submit to the Borough for signature. The Cemetery has already signed their deed.

Solicitor Lovette answered questions on the right of way and paving of Lennox Alley without Council approval, discussed at the last Council meeting. After discussion, it was the consensus of Council that we do not send the resident a letter. If the Borough would make repairs to the sewer lines in this alley, the surface should be replace in kind. The alley was never accepted. In order to deed a property (alley) to an abutting property owner, first a legal description would need to be prepared, and then Borough would have to first accept the alley; then vacate it. Deed would be prepared and filed in the County, to make the (alley) property part of the abutting property owners deed.

Any work performed in an alley would be the property owners responsibility if the borough has never accepted the alley. (i.e., trees in alleys are the property owners responsibility.) (i.e., if a tree would fall from the part of the alley that was never accepted, and now belongs to abutting property owner, he would be responsible for damages.)

On the question of paying the auditors, under section 1196 F of the PA Borough Code which details the compensation of the independent auditor is determined by council and paid out of Borough funds. And section 1053 sets the fees paid by elected auditors at no less than \$15.00 per day or more than \$30.00 for each day employed in performing his duties. A day shall consist of not less than 5 hours in the aggregate.

SECRETARY'S REPORT

Mrs. Czynnik's report records that a Senior Citizen's Awareness Program approved by Mr. Rodgers and seconded by Mr. Kory, is scheduled for May 29, 1997 at 1:00 p.m. Officer Mulkey of the West Hills Regional Police, Victims Service, and the Office of the Aging will talk with the seniors. A motion was made by Mr. Rodgers to approve a resolution in support of the SCRIP/Conemaugh Valley Conservancy river conservancy program. Seconded by Mr. Davis.

It was the consensus of Council that the Mayor should continue to sign the high grass complaints. Mr. Rodgers moved that the Secretary's Report be accepted. Seconded by Mr. Kory. All in favor, motion carried.

TREASURER'S REPORT

Mr. Rodgers made a motion to accept the Treasurer's report for the month of May in the amount of \$224,380.85 in the General Fund balance. Seconded by Mr. Davis. All in favor, motion carried.

TAX COLLECTOR

Mr. Quinn's written report for March records \$38,970.53 collected in Real Estate taxes and \$2,234.40 in Per Capita collections. A motion made by Mr. Rodgers that we received the Tax Collector's report, was seconded by Mr. Kory. All in favor, motion carried.

APPROVAL TO PAY THE BILLS

After discussion and review, a motion was made by Mr. Danyluk to approve the bills for a total of \$24,630.34, holding payment of Hinkle Plumbing in the amount of \$122.92 and payment to the Auditors in the amount of \$975.00. Seconded by Mr. Rodgers. Roll Call: Mr. Rodgers, Mr. Danyluk, Mr. Davis, Mr. Krupa, Mr. Kory, Mr. Leventry and Mr. Pile, all in favor, opposed none. Motion carried.

OLD BUSINESS

Items on the "Tickler List" were discussed. Items were reviewed, removed and relisted. There was no interest from Council to attend the annual conference this year.

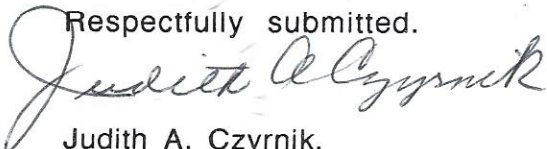
NEW BUSINESS

Mr. Davis will fax the additional BOCA restrictions to Zoning Solicitor Pat Kiniry. Mr. Davis spoke of a program called ISO, Insurance Service Office. They review ordinances and codes and do appraisals. This information is provided to Homeowners Insurance Agencies. Training would be needed and the costs are then incorporated into the permit fee schedules.

Mr. Davis talked with the DEP and found that they had inspected the PineBrooke development area. They found 3 items that needed to be corrected, logs need cleared from the stream area, they must stay back 50' from the flooding in the stream, and a silt fence must be installed along stream bank. Only a N.P.D.E.S. permit would be needed for the discharge system. There were no other problems. The area is not a wetland, according to DEP.

There being no other business, Council adjourned at 10:05 p.m. All in favor, meeting adjourned.

Respectfully submitted.



Judith A. Czyrnik,
Borough Secretary