

**MINUTES**  
**BOROUGH OF SOUTHMONT**  
**December 11, 2000 7:00 p.m.**

The scheduled December Council meeting was called to order by President Pile at 7:00 p.m. After the pledge to the flag, the December 11, 2000 meeting of Council convened.

**PRESENT:** President Pile, Mr. Rodgers, Mr. Rovanssek, Mr. Krupa, Mr. Danyluk, Mr. Strittmatter, Mr. Kory, Mayor Lary Koval, Street Commissioner: Jan Bosley  
Secretary/Treasurer: Judith Czynnik, Solicitor: Daniel R. Lovette, Engineer: David Duray, West Hills Police: Chief Andy Havas, Fire Dept.: Michael Butler,  
Zoning Officer: Fred Pullen

**ABSENT:** None

**VISITORS:** Dyke Orms 500 State Street

President Pile asked for approval of the November 20, 2000 minutes and Committee Notes of December 5, 2000. A motion was made by Mr. Krupa to accept the minutes as presented. Seconded by Mr. Strittmatter. All in favor, motion carried.

**POLICE CHIEF'S REPORT**

Chief Havas's written report which records the revenues for the month of November was not available, at this time. Chief Havas reported on the burglary at Grimaldi's Blvd. Service earlier this month. Detective George Musulin has solved the burglary and charges will be filed. The safe was damaged, a firearm was stolen and vehicle inspection stickers were taken. Another act of vandalism was solved by the Police. The new restroom building at the Community Park on Wonder Street was damaged. Roof vents and shingles were damaged. Three youngsters were charged and paid Southmont Borough \$180.00 in damages.

The West Hills Regional Police Department was burglarized in November and is under investigation. Chief Havas did call Mayor Koval about the burglary. The Police Department is planning to install an alarm system that will be tied into 911 and to their offices at 1000 Luzerne Street. There have been several vehicle break-ins this past weekend in Southmont. Residents are reminded to lock their vehicles. Chief Havas had no further report.

**ZONING OFFICERS REPORT**

Mr. Pullen's report records there were no new permits issued for this month. The year to date total of construction is \$580,721.00. There was a continued Zoning Hearing meeting on November 29, 2000 to review and approve a drawing and Zoning variance for Attorney Michael Stibich. The Business License was approved and Attorney Stibich will be moving his downtown office to his home at 209 Palliser Street. Two BOCA Code violations on Gardner Street (Kale Alley) were resolved. There is a Code violation at 114 Peden Lane. A Building Permit was Issued (2016) for a fence around a pool of water, however none was installed. This pool of water is approximately 5 foot deep. This has been turned over to Chief Havas and a citation will be filed with the District Magistrate.

**Page 2 - Minutes December 11, 2000**

Mr. Pullen reported that he has prepared a summary of the "Grandfathered" uses in the Borough for his successor. Mr. Pullen has submitted a letter of resignation effective December 31, 2000. He is willing to work with the newly appointed Zoning Administrator. There are still two unsettled violations that will carry over into the new year. At this time, President Pile remarked that the Committee had met with Mr. Dyke Orms of 500 State Street on December 5, 2000 and he is willing to accept the appointment as Zoning Administrator. A motion was made by Mr. Rodgers to appoint Mr. Orms as Zoning Administrator for the Borough of Southmont. Mr. Danyluk seconded the motion. All in favor, motion carried. At the recommendation of Solicitor Lovette, Mr. Rodgers made a motion to appoint Mr. Pullen as an Assistant Zoning Officer. Seconded by Mr. Danyluk, All in favor, motion carried. This appointment is in addition to Mr. Charles Glass who is also a Assistant Zoning Officer.

**FIRE COMPANY REPORT**

Chief Butlers written report records 15 responses for the month. There was an appliance fire at 207 Diamond Blvd. on November 21, 2000. The fire was quickly extinguished with only minor damage. Two members attended 18 sessions of fire school for a total of 72 hours of training. Chief Butler discussed the request from East Conemaugh Borough for a Mutual Aid Service agreement between East Conemaugh and Southmont Borough. Chief Butler referred to Borough Ordinance No. 386, dated July 1990, accepting a Mutual Aid agreement with the Volunteer Firemen's Association of Cambria County and Vicinity. Chief Butler is not sure why any other agreement would be necessary. There being no motion, no action was taken. Council's consensus is a letter will be sent to East Conemaugh for more information on their intent, since there is an agreement in place. Just this past week, Chief Butler reported that there was a house fire in East Conemaugh and Southmont was called to fill in for this fire.

**ENGINEER'S REPORT**

Mr. David Duray of Hinks and Locher Engineers reviewed with Council the L & M Excavating invoice for the Luzerne Street Sanitary Sewer project. The original bid was for \$16,446.95. There were three Change Orders with a net change of -\$116.30. Mr. Danyluk made a motion to approve the L & M Excavating invoice in the amount of \$16,330.65. Motion seconded by Mr. Rodgers. Roll Call: Mr. Rodgers, Mr. Rovanseck, Mr. Danyluk, Mr. Strittmatter, Mr. Krupa, Mr. Kory and Mr. Pile. All in favor, opposed none. Mr. Duray reported that the property line problem has been resolved by the Pyshnik's and Sprague's themselves. There also is an invoice for the work Lichtenfels did for this project. Mr. Duray is recommending that we withhold 10% from current payment of \$1,967.40, to assure that the replanting and landscaping survive.

Mr. Duray asked for a schedule of the alleys that the Street Committee wants to have the milled material placed in , as discussed at the Street Committee meeting. The 2001 Street Paving estimates were reviewed. Two concrete streets will be paved over next year, along with other streets. Estimated costs were approximately \$110,000. A motion was made by Mr. Rodgers to have the Engineers advertise for the 2001 Street Paving project for bid opening in February 2001. Seconded by Mr. Danyluk. All in favor, motion carried.

Borough employees have completed the smoke & dye testing and Mr. Bosley will meet with Tom Gray of Hink's & Locher to review the results. Council discussed the rental or purchase of flow meters. Mr. Duray will look into the costs. Mr. Bosley asked if it would be necessary to continue the quarterly maintenance of this sewer line as we have done in the past. Mr. Duray suggested that we pull the manhole and monitor the line for awhile.

## COMMITTEE REPORTS

### STREET COMMISSIONERS REPORT

Mr. Bosley's written report records that the field drain on the soccer/ballfield entrance has been televised and the pipe is open and clean. Leaf collection continued and went very well. Checked flows in the designated sanitary manholes for DEP. Began snow plowing and salted streets. Prepared a street light map for locations of the lights in the alleys. Mr. Bosley will get the pole numbers for the map. Council has asked Mr. Bosley for a "Tickler List" with his monthly report. The new truck is to come in this week.

### STREETS

No other report.

### ADMINISTRATION/PERSONNEL COMMITTEE

No report.

### POLICE COMMISSION

Mayor Koval reported that 3 part time officers have been hired. Chief Havas has been meeting with Lower Yoder Township officials in reference to the Police set up with Lower Yoder Township and the West Hills Regional Police. Mayor Koval reported that Chief Havas called to inform him of the burglary at the Poice Department.

### RECYCLING COMMITTEE

Report submitted. Mr. Rovansek reported that Southmont has received \$813.00 in volume credit for the recycled material. The cost to recycle to date is about \$2,500.00 for 2000.

### INSURANCE COMMITTEE

Mr. Kory noted that he reviewed the book on insurance coverage for the Borough. The book is available for any Council member who is interested. There will be a meeting on Thursday, December 14, with PIRMA representative Tim Lutz. Any member of Council who can attend is welcome. Mr. Rodgers reported that we have just been notified of a rate increase of 25% for Hospitalization insurance for employees. Mr. Rodgers made a motion to increase the tentative budget line item #487.30 by \$5,000.00, to cover the cost of the increase, and to decrease line item #439.61 by \$5,000.00. Motion seconded by Mr. Kory. All in favor, motion carried.

President Pile allowed for an Agenda change at the request of Solicitor Lovette, who has another meeting tonight.

### SOLICITOR'S REPORT

Solicitor Lovette has prepared and advertised several Ordinances for approval.

Mr. Rodgers made a motion to approve Ordinance No. 424 providing for additional speed limit signs on the lower portion of State St. and No Parking signs in Kale Alley.

Seconded by Mr. Danyluk. Roll Call: Mr. Rodgers, Mr. Rovansek, Mr. Danyluk, Mr. Strittmatter, Mr. Krupa, Mr. Kory and Mr. Pile. All in favor, opposed none.

A motion was made by Mr. Rodgers to approve Ordinance No.425, fixing the Real Estate tax rate at 22 mills for the year 2001. Seconded by Mr. Danyluk. Roll Call: Mr. Rodgers, Mr. Rovansek, Mr. Danyluk, Mr. Strittmatter, Mr. Krupa, Mr. Kory and Mr. Pile. All in favor, opposed none.

A motion was made by Mr. Rodgers to approve Ordinance No. 426, decreasing the individual Borough residents annual sewer maintenance fee from \$32.00 to \$24.00 annually. Seconded by Mr. Danyluk. Roll Call: Mr. Rodgers, Mr. Rovansek, Mr. Danyluk, Mr. Strittmatter, Mr. Krupa, Mr. Kory and Mr. Pile. All in favor, opposed none.

A motion was made by Mr. Rodgers to approve Ordinance No. 427, revoking the \$5.00 Per Capita tax rate on residents over 18 years of age. Seconded by Mr. Danyluk. Roll Call: Mr. Rodgers, Mr. Rovansek, Mr. Danyluk, Mr. Strittmatter, Mr. Krupa, Mr. Kory and Mr. Pile. All in favor, opposed none.

A motion was made by Mr. Rodgers to approve Ordinance No. 428, setting the Garbage fee in the amount of \$70.00 for the years 2001, 2002, and 2003. Seconded by Mr. Danyluk. Roll Call: Mr. Rodgers, Mr. Rovansek, Mr. Danyluk, Mr. Strittmatter, Mr. Krupa, Mr. Kory and Mr. Pile. All in favor, opposed none.

Solicitor Lovette reported that he has filed 3 liens against Pete Chiodo for outstanding monies owed to the Borough for sewer frontage at \$1,101.30 , for a Hearing Board meeting to change a set back variance at \$552.81 and \$12,204.85 for reimbursement of Borough expenses for the development and subdivision of Pine Brooke. Nothing to report on deed transfers for Chapin Arch.

Solicitor Lovette has been offered a full partnership with Kaminsky, Thomas & Wharton. He is accepting their offer and will be moving his office, but he will continue as Solicitor for the Borough if that is Council's wishes.

### BUDGET COMMITTEE

Mr. Rodgers reported on the condition of the 2000 General Fund Budget as of the November Treasurer's Report. We have received 97% of the budgeted receipts. Expenditures are at 63%. The new truck is to be delivered this week. Mr. Rodgers made a motion to adopt the 2001 General Fund Budget with the changes made for Insurances. Seconded by Mr. Danyluk. All in favor, motion carried. Mr. Rodgers made a motion to give the Secretary permission to close the books for the 2000 budget as of December 31, 2000. Seconded by Mr. Danyluk, All in favor, motion carried.

Mr. Rodgers continued by making a motion to approve and name depositories Portage National Bank for the General Funds, Money Market Funds and the Sewer and Garbage Funds. To approve PLGIT for the Cheney Run Fund and the Motor License Fund and to approve Valley National Investment Inc. for the former Police Pension Fund balance. The motion was seconded by Mr. Danyluk. All in favor, motion carried.

Mr. Rodgers made a motion to approve the employees wages as set in the 2001 Budget as Secretary/Treasurer at annual \$23,100.00, hourly Part-Time Clerk at 6.50 per hour, Full Time hourly Street Department at \$10.62 and apprentice rate (95%) \$10.09 per hour, Seasonal/Temporary rate \$5.50 per hour, and the Snow Removal rate for part timers called out to plow at \$6.50 per hour. Mr. Rodgers continued setting the Solicitor's retainer at \$3,600.00 annually and the Engineers at the current rates on file. Motion was seconded by Mr. Daynluk. All in favor, motion carried.

Mr. Rodgers made a motion to continue the meeting of Council on the third Monday of each month, with the exception of December 2001 which would be the second Monday of that month and every Tuesday for Committee meetings, when necessary. All meeting would be at 7:00 p.m. Motion seconded by Mr. Danyluk. All in favor, motion carried.

Mr. Rodgers reviewed with Council a summary report of the excess interest monies earned from Pennsylvania Municipal Retirement System. A motion was made by Mr. Rodgers to approve distribution of the allocation of excess interest, as submitted. (See approved application) Seconded by Mr. Krupa. All in favor, motion carried. There are no longer any retired members in our plan.

#### **SHADE TREE**

Mr. Krupa reported the Newsletter is at the printer and should be out early next week. Mr. Krupa has prepared the application for the Tree City USA award.

#### **RECREATION/PLAYGROUND COMMITTEE**

Mr. Pile reported that a letter from the Westmont Hilltop Recreation Commission has been sent to Mr. Eric Muncert about a proposed baseball league for 13-15 year olds. The Commission feels it would not be in the best interest of the Commission to be involved in this league. The soda machines at the Wonder Street Soccer/Ballfield Park were discussed. The Secretary will call Coke of Ebensburg and have them removed from November to April due to the high cost of operating the machines. The revenues should be coming to Southmont Borough for the soda machines. Mr. Pile is requesting the first installments of the Borough's Contribution to the Recreation Commission be paid early in January. Council approved.

#### **BUILDINGS and GROUNDS**

Mr. Kory looked over the list of all the Borough owned properties. Mr. Kory will continue monitoring Borough owned properties for any repairs or adjustments that might be necessary. Council discussed the Bird Sanctuary and the fence around the property. Mr. Bosley will inspect the areas with Mr. Kory. Mr. Kory reminded Mr. Bosley that the Wren Street Playground equipment needs removed.

**COG REPORT**

Mr. Rovansek reported that COG had the elections of Officers for the year 2001. Mr. Rovansek reported that COG had street sign monies and will offer the members a chance to get new Borough and streets signs at 1/3 the cost. Council discussed the possibility of purchasing new Borough entrance signs. No other report.

**CHAPIN ARCH**

Solicitor Lovette had nothing further to report on the deed transfers.

**MAYOR'S REPORT**

No further report.

**SOLICITOR (agenda changed)**

**SECRETARY'S REPORT**

Mr. Rodgers inquired on a meeting scheduled for March 19, 2001 with the Greater Johnstown Water Authority members that represent Southmont Borough. Council would like to meet with the members for updates and information about the Authority. A meeting has been scheduled with Upper Yoder Township Sewer Authority to discuss the sewer rental fees. The meeting is set for December 18, 2000 at 6:00 p.m. A motion was made by Mr. Rodgers to accept the Secretary's report. Seconded by Mr. Kory. All in favor, motion carried.

**TREASURER'S REPORT**

A motion was made by Mr. Rodgers to approve the November Treasurer's report as presented in the amount of \$323,394.58. Seconded by Mr. Kory. All in favor, motion carried.

**TAX COLLECTOR'S REPORT**

A motion was made by Mr. Rodgers noting that the Borough has received the November Tax Collector's report with no RE collections and no PC collections. Seconded by Mr. Kory. All in favor, motion carried.

**PAYMENT OF BILLS**

After discussion, a motion was made by Mr. Strittmatter to approve payment of the bills, minus the 10% to be withheld for Lichtenfel's contract, in the amount of \$35,601.49. Seconded by Mr. Krupa. Roll Call: Mr. Rodgers, Mr. Rovansek, Mr. Danyluk, Mr. Strittmatter, Mr. Kory, Mr. Krupa, Mr. Pile. All in favor, opposed none.

**OLD BUSINESS**

President Pile asked for review of items on the "Tickler List". Items were reviewed, removed or relisted. Some new items will be added. Completed items were removed.

**NEW BUSINESS**

President Pile reviewed and discussed all the appointments to the Boards and Commissions. A motion was made by Mr. Rodgers to reappoint Thomas Lewis to the Zoning Hearing Board and the BOCA Hearing Board each for a five year term. and to reappoint Mr. Nicholas and appoint Mr. Francis Kelly to the Planning Commission, each for a four year term. To reappoint Mr. Charles M. Glass, Mr. Ronald Madlson and to appoint Mr. Fred Pullen to the Alternate Zoning Board, each for a one year term.

Mr. Rodgers continued his motion with the reappointment of Mr. Charles M. Glass to the Greater Johnstown Water Authority, appointed Mr. Ed Danyluk to the Police Commission and reappointed Mr. Bill Krupa as an alternate on the Police Commission, each for a two year term. Mr. Bill Krupa was reappointed to the Shade Tree Commission for a five year term and Mr. Krupa, Mr. Sheesley and Mr. Robert Griffith was reappointed to the Tax Appeal Board, each for a three year term. Motion seconded by Mr. Krupa. All in favor, motion carried.

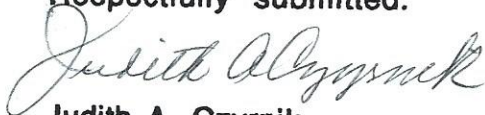
Mr. Danyluk suggested that the Secretary inform the Police about the garbage being placed out at the curb at 201 Gardner Street. Also, Mayor Koval suggested that Mr. Pullen investigate construction equipment parked on that property. (Kowtoniuk)

A luncheon has been scheduled for December 27, 2000 at 1:00 p.m. at Lino's. All Council, Engineers, Solicitor's and Zoning Hearing Board members have been invited.

Mr. Dayluk reported that at the Committee meeting it was decided that all alleys will be added to the Winter Maintenance Schedule.

Meeting adjourned at 8:40 p.m.

Respectfully submitted.



Judith A. Czynnik,  
Borough Secretary

