

MINUTES
BOROUGH OF SOUTHMONT
April 17, 2006 7:00 p.m.

The scheduled April Council meeting was called to order by President Pile at 7:00 p.m. After the pledge to the flag the April 17, 2006 meeting of Council convened.

PRESENT: President Pile, Mr. Rodgers, Mr. Ewald, Mr. Kory, Mr. Strittmatter, Mr. Danyluk, Mr. Krupa, Mayor: Gerry Sloat, Solicitor: Daniel R. Lovette, West Hills Police Chief: Andy Havas, Fire Chief: Chet Borosky, Zoning Officer: Dyke Orms, Engineer: Dave Duray, Borough Manager: Loretta Spak, and Street Commissioner: Jan Bosley.

ABSENT:

VISITORS: Mr. Ryan Adams, 307 Olive Street, Zoning Officer position; Mr. Ralph Lovette, owner/manager Johnstown Brewing Company, outside music.

President Pile asked for approval of the March 20, 2006 Council Minutes. A motion was made by Mr. Rodgers to accept the Minutes as submitted. Seconded by Mr. Kory. All in favor, motion carried.

President Pile stated Mr. Adams was interviewed at 6:30 (prior to regular Council meeting) for the Zoning Officer position. Mr. Orms has agreed to assist/train Mr. Adams in the Zoning position. Mr. Adams spoke to Council informing them of his interest in the position; he is self employed with flexible hours, he rides through the Borough frequently. Mr. Kory made a motion for Ryan Adams to have the Zoning Officer position and have Mr. Orms be the Assistant Zoning Officer. Seconded by Mr. Danyluk. All in favor, motion carried.

President Pile called upon Mr. Ralph Lovette who is one of the owners of the Johnstown Brewing Company to address Council concerning outside entertainment. Presently Pennsylvania Liquor Control Board (PLCB) regulates that it is illegal for music being played outside of the walls of an establishment; there is a statue that allows Council to override the PLCB. Solicitor Lovette stated Council can do a resolution then inform the PLCB who will hold a public hearing in Southmont. The PLCB will either deny request, grant request or grant request with limitations. Council can revoke the resolution by giving the PLCB fifteen (15) day notice at any time if not satisfied. Mr. Danyluk made a motion for Solicitor Lovette to draft a resolution for outside entertainment for Johnstown Brewing Company stating the legal area/description of premises and allowing seven (7) days a week with a maximum time limit of 12:00 A.M. Seconded by Mr. Ewald who called for the question. All in favor, motion carried.

POLICE CHIEF'S REPORT:

West Hills Police report for March shows revenue in the amount of \$290.16 (ordinance violations \$103.29 and vehicle violations \$186.87). Police Chief Andy Havas mentioned they handled complaints concerning junk vehicles, helped with investigation of a child pornographic ring and closed a website which urged young people to fist fight for money. Mr. Rodgers made a motion to split the police cost for the Jubilee with the fire company. Seconded by Mr. Danyluk. All in favor, motion carried.

ZONING OFFICERS REPORT

Mr. Orms report was received. Report records activity of six (6) permits at a total construction of \$309,350 as of 4/11/06. Mr. Orms discussed letter received from Citizens Cemetery Association dated April 4th. They are working on getting quotes for fence (see Zoning Permit 2005-21).

FIRE COMPANY REPORT

Chief Borosky's written report records eleven (11) responses during the month of March. There were no (0) calls between the hours of 10 PM to 7 AM. Southmont had seven (7) assists in March three (3) to Upper Yoder, one (1) to Westmont, one (1) to Lower Yoder, one (1) to Mencher and one (1) to Conemaugh Twp. Mr. Danyluk made a motion for the Borough trucks to be used for set up and tear down of the Jubilee. Seconded by Mr. Krupa. All in favor, motion carried. Discussion followed concerning the NIMS courses, President Pile will check if they are mandatory for Council. Chief Borosky asked if the fire company can tie into our internet access thru Atlantic Broadband. Mr. Rodgers made a motion to have them tied in if not illegal, will have Mr. Sernell check. Seconded by Mr. Danyluk. All in favor, motion carried. Council is to call Ms. Spak and schedule when they will be working the gambling booths and/or kitchen for Jubilee. The Hilltop Ambulance report was received and is on file.

ENGINEER'S REPORT

Mr. Duray's written Engineer's report for April was received and reviewed. When Quaker Sales was milling they found that Orchard Street has concrete base which will increase cost of paving (worse case scenario \$5,000). Mr. Duray will inform Quaker Sales that a flashing light needs to be placed on Olive Street due to large bump caused by milling. DEP will be mailing a letter to Grandview stating no further work is to be completed in the channel without DEP approval. Solicitor Lovette forwarded a copy of a letter he received from the Redevelopment Authority concerning a proposed ordinance requiring dye testing at time of property transfers to Mr. Duray. Solicitor Lovette will get a copy to Ms. Spak for Council to review. Discussion followed concerning 2006 CAP activities; Mr. Bosley will be able to televise sewer lines (sub basin) usage at off hours, when camera is returned from Ebensburg. Mr. Danyluk made a motion to have P.C. Rizzo & Associates start tracking the infiltration at approximate cost of \$11,200 (\$17,200 minus \$6,700 for Mr. Bosley televising) will start at Goucher Street and Lettuce Alley. Seconded by Mr. Ewald. Roll Call: Mr. Rodgers, Mr. Ewald, Mr. Kory, Mr. Strittmatter, Mr. Danyluk, Mr. Krupa and Mr. Pile all in favor, opposed none. The following topics were discussed: new prevailing wages interpretation, curb cuts and garden club sign erection. Mr. Rodgers made a motion to approve any council members and street commissioner who wish to attend the Penn Dot's Annual Transportation Outreach scheduled for May 18th 10:00 - 11:30 a.m. at the Imperial Room. Seconded by Mr. Danyluk. All in favor, motion carried. Mr. Danyluk made a motion to send a letter to Rep. Wojnarowski opposing the new prevailing wage

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interpretation and what cost impact it will have on our municipality. Seconded by Mr. Rodgers. All in favor, motion carried.

COMMITTEE REPORTS

STREET COMMISSIONERS REPORT

Received Mr. Bosley's written report, discussion followed. Mr. Danyluk made a motion for Roto-Rooter to use their push camera to televise the sanitary sewer in Quince Alley; clear water coming from direction of "chicken path". Seconded by Mr. Rodgers. All in favor, motion carried. Street sweeping will start May 1st, Ms. Spak will advertise. Mr. Bosley will get quotes for line painting, will dig four (4) holes on Palliser Street for Arbor Day (April 29th), will notify PennDot concerning stop sign on Hershberger and Violet and will also remind them to contact Mr. Krupa in regards to tree trimming, and will rake and pickup gravel on Southmont Blvd.

STREET COMMITTEE REPORT

Mr. Danyluk and Mr. Bosley will meet and take pictures of clean up (brush, limbs, etc.) that are needed on Southmont Blvd.

ADMNS. & PERSONNEL COMMITTEE

A personnel committee meeting is scheduled for April 25th at 3:00 p.m. On the agenda will be evaluation of William Gentile (Mr. Bosley turned into Mr. Krupa) and have goals ready for Mr. Bosley to discuss.

POLICE COMMITTEE

Mayor Sloat mentioned there has been no response from letter that was sent to Upper Yoder Township concerning merge with West Hills Police.

RECYCLING COMMITTEE

Mr. Kory would like to be notified when the plastic recycling trailer next goes to Mr. Haresh Pandya.

INSURANCE COMMITTEE

Mr. Rodgers will set up a date and time for Council to meet with Charlene from Waste Management to answer any questions, contract is up December 31, 2006.

BUDGET COMMITTEE

Mr. Strittmatter has nothing new to report.

SHADE TREE REPORT

Mr. Krupa mentioned Arbor Day is Saturday, April 29th at 10:00 a.m. at 319 Palliser Street four (4) red Oaks will be planted, all are invited. Received another quote for fence repair at Langhorne in the amount of \$600, previous quote was for \$775, upper portion of tree should be removed by Buchanan Tree Service this week. Mr. Krupa reminded all of the Cambria County Borough's Association dinner we are hosting

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scheduled for Tuesday, April 18th at the Imperial Room at the Ebensburg Mini-Mall. Social hour with open bar will begin at 5:30 p.m. and the business meeting will begin at 6:30 p.m. Mr. Krupa is aware of trees being removed from Orchard Street, residents are working together with Borough.

RECREATION COMMITTEE

The minutes for the March meeting were received. President Pile reported the Spring/Summer recreation programs will be going out in May.

BUILDING/GROUNDS REPORT

Mr. Kory and Mr. Bosley will be inspecting the building and grounds. Mr. Kory mentioned the plaque on the rock which lists donators at the Diamond Playground is missing; Mr. Bosley will check it out.

COG REPORT

Mr. Ewald has nothing new to report.

GRANDVIEW COMMITTEE

Mr. Kory has nothing new to report.

GREATER JOHNSTOWN WATER AUTHORITY

The April minutes were received. President Pile mentioned Mr. John H. Follansbee III was appointed and sworn in as a Water Authority member; he is replacing Mr. Theodore Gaynor. The annual Water Authority dinner meeting (March 24th) was well attended and informative.

MAYOR'S REPORT

Mr. Rodgers made a motion for Mayor Sloat and Mr. Ewald to attend the PA Leadership Institute. Seconded by Mr. Danyluk. All in favor, motion carried.

SOLICITOR'S REPORT

Mr. Danyluk made a motion to advertise Ordinance #462 providing for the vacating, removal, repair or demolition of structures dangerous to the health, safety and welfare of residents. Seconded by Mr. Rodgers. All in favor, motion carried.

MANAGER'S REPORT

Ms. Spak's written report was submitted. Mr. Rodgers made a motion to approve Clean Lawn for grass cutting. Seconded by Mr. Danyluk. All in favor, motion carried. Ms. Spak will get a sample NIMS proclamations for Council to review. Mr. Rodgers made a motion for Ms. Spak to transfer the 2004 and 2005 county aid from General Fund to Liquid Fuels upon receipt of letter from auditor. Seconded by Mr. Danyluk. All in favor, motion carried. Mr. Rodgers made a motion to accept the Manager's report. Seconded by Mr. Kory. All in favor, motion carried.

TREASURER'S REPORT

Mr. Rodgers made a motion to approve the March's Treasurer Report in the amount of \$287,178.12. Seconded by Mr. Kory. All in favor, motion carried.

TAX COLLECTOR'S REPORT

Mr. Rodgers noted we received the March Tax Collector's report with Real Estate revenues at \$45,524.67. Seconded by Mr. Kory. All in favor, motion carried.

PAYMENT OF BILLS

Mr. Rodgers made a motion to approve payment of bills in the amount of \$80,754.33. Seconded by Mr. Krupa. Roll Call: Mr. Rodgers, Mr. Ewald, Mr. Kory, Mr. Strittmatter, Mr. Danyluk, Mr. Krupa and Mr. Pile all in favor, opposed none. Ms. Spak will look into the new promotion (Freedom Plan) Verizon is running on unlimited local and long distance, will see if a business is eligible.

OLD BUSINESS

President Pile discussed the "Tickler List". Mr. Ewald will volunteer nightly to work the kitchen for Jubilee. Mr. Rodgers made a motion for Ms. Spak to get the best rate possible and transfer/purchase CD. Seconded by Mr. Danyluk. All in favor, motion carried. Ms. Spak will remind Mr. Cabronara about the fence at 1046 Menoher Blvd. which is due to be repaired this Spring/Summer. The Street light repair list was updated.

NEW BUSINESS

President Pile reminded Council to look over and take care of your items on the "to-do" list.

There being no further business, a motion was made by Mr. Rodgers for adjournment of the April 17, 2006 meeting at 9:15 P.M. Seconded by Mr. Krupa. All in favor, motion carried.

Respectfully submitted,

Loretta Spak, Borough Manager

4/27/2006 11:07 AM

