

MINUTES  
BOROUGH OF SOUTHMONT  
October 20, 1997 7:00 p.m.

The regularly scheduled October Council meeting was called to order by Vice President Leventry at 7:00 p.m.. After the pledge to the flag, the October 20, 1997 meeting of Council convened.

PRESENT: President Pile (7:35p.m.), Mr. Rodgers, Mr. Danyluk, Mr. Leventry, Mr. Krupa, Mr. Kory, Mr. Davis, Solicitor: Daniel R. Lovette, Mayor Robert Morgan, Engineer: Ron Walker Zoning Officer-Fred Pullen (8:30p.m.), West Hills Police: Andy Havas, Street Commissioner: Jan Bosley, Fire Department: Michael Butler and Secretary: Judith Czyrnik

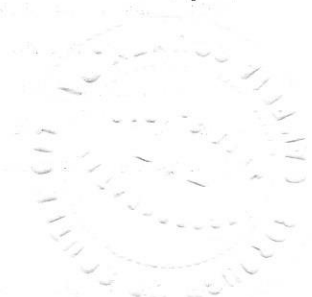
ABSENT: none

<u>VISITORS:</u> Lary Koval, WHRC	Julie Salem 488 Southmont Blvd.
Doug Oakley, WHRC	Chuck Salem 488 Smt. Blvd.
Julie Sythe, WHRC	Kenny Saduari 484 Smt. Blvd.
Nick Patton 486 Smt. Blvd.	Larry Tomkowski 482 Smt. Blvd.
Leah Patton 486 Smt. Blvd.	Lynne Tomkowski 482 Smt. Blvd.
Matt Harnish 505 Smt.Blvd.	Steve Myers 452 Smt. Blvd.
Andrew Schuster 490 Smt. Blvd.	

Vice President Leventry noted for the record that a Public Meeting was held for the proposed BOCA Property Maintenance Ordinance No. 409, on October 14, 1997. No one attended. At this time Vice President Leventry asked for approval of the September 15, and September 22, 1997 minutes. Mr. Rodgers asked if we could table approval of the minutes until later in the meeting, as he has some questions for clarification. Council agreed.

Vice President Leventry called upon Nick Patton, acting as the spokesperson for the group attending the meeting with reference to the proposed Traffic Ordinance No. 410 and an increase in the speed limit. Mr. Patton was representing the seven families who are attending with concerns of a proposed speed increase of 5 mile per hour on Southmont Blvd.

Mr. Patton stated that a survey of the school age children on Southmont Blvd. totals 67 between Olive Street to the City Line. Mr. Patton stated that motorists traveling Southmont Blvd. are most often exceeding the posted 25 mph speed. An increase in speed will only cause motorists to travel much faster on an already dangerous roadway. Their concerns were for the children along with anyone walking along Southmont Blvd., as the sidewalk abuts the street, and the safety of the people backing out of their driveways on the Blvd.



Mr. Patton asked Council why they decided to increase the speed. The residents drove the highway at 25 mph and again at 30 mph the difference was about 5 seconds. Mr. Schuster objected to the increase because he has trouble getting his vehicle out of his driveway with the speed as it is now. Mr. Salem stated that he can understand why traffic patterns change in commercial areas, but objects to an increase because he felt this is a residential area, not a hub of traffic. The residents asked that Council listen to the residents and let the speed remain and not increase the speed from 25 mph to 30 mph. They also asked that the WHP enforce the speed limit.

After further discussion, Mr. Rodgers made a motion to table any action on the proposed Traffic Ordinance No. 410, to re-advertise for approval at the November meeting, and to do a formal survey of the residents of Southmont Blvd. Motion seconded by Mr. Kory. All in favor, motion carried. Council will prepare a form letter survey to poll the residents of Southmont Blvd.

At this time President Pile came and took the gavel to continue with visitor Mr. Doug Oakley, who introduced himself as the President of the WHRC to present some facts on the proposed Ridge grant and 25 year lease. Mr. Oakley introduced Mr. Koval who is the chairperson of the Ridge grant. Ms. Sythe began with the submitted copies of the proposed Ridge grant updates. The projects for the grant was submitted three years ago and some new items have been added, including making the project handicapped accessible. The WHRC has received the grant and one stipulation by the State is that a 25 year lease is obtained from each participating entity. Ms. Sythe presented a revised application estimate of the costs of the improvements.

She explained the WHRC is preparing to achieve the matching funds for the grant Selective tree cutting at the Ridge with a registered forester and sealed bids. This could yield approximately \$30,000. They will be making presentation for local corporations to give financial support, the Westmont Hilltop High School student video club will make a 10-12 minute video commercial and several other fund raisers to aid in the match. Each municipality will be asked to contribute to the match. The grant is for \$97,000.00 and the match would be approximately \$47,000.00. The municipalities match \$20,000.00 and the WHRC match \$27,000.00.

Ms. Sythe continued with costs of the Ridge. Southmont Borough had asked her to provide a list of the rentals at the Ridge and if they were from the Hilltop area. At that time Ms. Sythe's report showed that 80% of the rentals are from outside of the Hilltop. The Ridge Income report and expense showed that income is approximately between \$10,000. and \$12,000.00 annually. Expenses range from \$8,000.00 to \$16,000.00 with most of the costs going for the sewage treatment plant. Further discussion was held on other points of the grant and questions about the participation of the Borough, the WHRC and the Ridge.

Mr. Rodgers questioned as to when we could expect a report, with a list of the rentals, costs and names of the rentals at the Ridge. This was a request several months ago. Mr. Danyluk agreed that we have not received the answers to the question. The cost is a major factor. Mr. Davis's concerns were for the long term lease and the responsibility of the maintenance of the Ridge. Realistically,

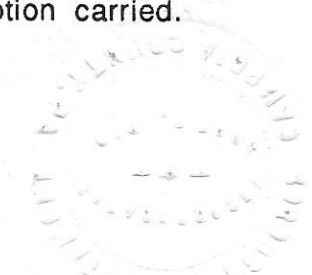
no doos not foal a 25 year lease is cost offeative for the Borough.

Solicitor Lovette reviewed the Ridge Income report and informed Council that if the WHRC didn't have a sewerage treatment plant to maintain at the Ridge the place would have made money. Upper Yoder township donated the labor to re-line the sand pits. There is not enough usage for the plant to be effective. Some thought should be given on the treatment plant and how to cut those costs. After further discussion, Council will have another workshop and prepare explicit questions for Mr. Oakley and Ms. Sythe to answer. This will be done at a meeting on October 28, 1997. Mr. Rodgers asked Mr. Oakley if the Ridge is not cost effective, not being used by hilltop residents, would Mr. Oakley consider closing the Ridge? Mr. Oakley stated that after the 5 year plan is done and proves that it is not cost effective, he would consider closing the Ridge. A motion was made by Mr. Leventry to un-table the 25 year lease until the November meeting and to hold a workshop to prepare the questions for the WHRC. Seconded by Mr. Kory. All in favor, motion carried. A motion to table the improvement on the 25 year lease was made by Mr. Leventry and seconded by Mr. Kory. All in favor, motion carried.

Attorney Lovette pointed out that any lease can be broken by changes in circumstances. Therefore, the Borough is not committed to a 25 year time period.

At this time Councilman Rodgers asked to review the minutes of both the September 15 and September 22, 1997 meeting. On the September 22, 1997 meeting dealing with the PineBrooke Subdivision, Mr. Rodgers recommended that the name and owners of the assisted living facility be in the minutes, first page, second paragraph. Mr. Rodgers asked that the parts of the Subdivision plan be names instead of the letter identification. He also asked that the agreement become part of the minutes, for future reference. Mr. Rodgers moved to approve the September 22, 1997 minutes with those corrections. Seconded by Mr. Davis. All in favor, motion carried.

On the minutes of September 15, 1997 Mr. Rodgers had just two items for clarification, on the proposed traffic ordinance and the use of the IUP intern be approved at no cost to the Borough. Mr. Rodgers made a motion to approve the minutes with corrections. Seconded by Mr. Davis. All in favor, motion carried.



## POLICE CHIEF'S REPORT

Chief Havas's written report records that the revenues for September were \$426.49. There is a Police Commission meeting Tuesday at 7:00 p.m. The police are monitoring selective school bus stops for the School Bus Safety program going on throughout the State. Chief Havas reported that a grant has been received for a new computer and new County software updates. They will get bids for the new computer. Mr. Leventry submitted a copy of a letter from Mr. & Mrs. Arnone of Edward Street to Chief Havas and asked if he would check the speed on Edward Street. The Mayor and Chief Havas will review this request.

Mr. Danyluk asked about a problem on State Street with a resident taping off a right of way that he has declared ownership on. Solicitor Lovette stated that this is a Civil matter and not Borough related.

## ZONING OFFICER'S REPORT

Mr. Pullen's written report records six new permits for the month. The year to date total is 55, total construction is \$1,328,061.00. The total construction for the month is \$25,500.00. Mr. Pullen has sent a letter to Mr. George Haidar's attorney with reference that nothing has been done on the new permit he was issued. At this time Council discussed making any changes to the proposed BOCA code pending any State Legislative discussions. It appears there will be no changes to the States BOCA code this year. A motion was made by Mr. Davis to approve the new BOCA Property Maintenance code, Ordinance No. 409. Seconded by Mr. Danyluk. Roll call: Rodgers, Danyluk, Davis, Krupa, Kory, Leventry, and Pile. Motion carried. Mayor Morgan asked that a copy be given to the WHRP for enforcement. Mr. Pullen will address the property owners who must comply with the new ordinance.

## FIRE COMPANY REPORT

The written report submitted by the Fire Company records total emergency responses at 21 for the month. Engine 26-1 was inspected and the radiator unit was found to be leaking. A re-built unit will be installed. The rebuilt unit will cost about \$800.00 to \$1,000.00. Chief Butler stated that the soccer games will be over on October 22, 1997 and the Fire Co. would like to begin restoring the entrance area of the ballfield. Chief Butler asked that Borough employees help with the project. Council approved.

The annual Fire Company Awards dinner will be November 8, 1997 at Surf-n-Turf and Council is invited. He will be calling each member for confirmation. An update on the building addition, the Department will apply for a State grant. In order to apply a legal description for the new addition must be completed before Solicitor Lovette prepares the lease agreement. President Pile asked if the Fire Co. has had the HIV vaccine. That was done about two years ago.

### ENGINEER'S REPORT

Ron Walker submitted the costs estimates for the construction of the replacement of the retaining wall along Southmont Blvd. at the rear of the Zahurak property. To construct approximately 90 feet of reinforced cement concrete retaining wall with hand rail. The work will include pavement, sidewalk, curb gutter and grass restoration for an estimated cost of \$80,000.00. Costs of relocation of utilities will be submitted at a later date. Council will consider this for the 1998 Budget.

Mr. Walker has talked with Mr. Walsh in reference to vacating a portion of Leek Alley (Long Alley) . He is waiting for Mr. Walsh to get back to him about the section the Borough wants to retain for piling snow during the winter season. Hinks & Locher have done inspections at the PineBrooke roadway development. The first invoice submitted has been reviewed and approved. Copy was submitted to Council, for review. On another problem, with the sanitary sewer line, Solicitor Lovette will talk with Attorney Gvozdich about an immediate solution.

### COMMITTEE REPORTS

#### STREET COMMISSIONER

Mr. Bosley's written report records that the Borough employees installed conveyor belt strips to the Roller Blade court for the Recreation Commission. Prepared the old leaf machine for leaf collection. Painted some double yellow lines on Daisy Street at Harshberger St. Continued to cut grass on Borough properties. Dug footer for the new restroom/shed at the Soccer field. Began preparing salt spreaders for winter. Chipped brush week of September 15th. Converted the old leaf machine to a 12 volt charging system. Mr. Bosley has some questions on stop signs in alleys. The Mayor will look at this question.

#### STREET COMMITTEE

Mr. Leventry discussed a request from Mrs. Lyman of Arlington Street. He is asking the Street Committee to either consider another light or consider moving other lights up one pole. We recently moved a light from in front of this residence due to tree foilage. Another request is "Watch Children" signs at the intersection of Daisy, Dell and Edward St. Council asked Mayor Morgan and the Street Committee to look at this and the request on Edward Street about speeding. The Mayor and the Street Committee will also look at putting stop signs in some alleys.

A letter was received from Mrs. Hanzel in reference to installing speed bumps in Okra Alley beside the playground. Council has no intention of installing the speed bumps. Yellow lines will be painted at the corners. Mr. Leventry reported on another question, about curb cuts. The Dept. of Justice has given State and Local governments until Jan 2000 for curb cuts in priority areas such as sidewalks, crosswalks serving local government facilities. Other pedestrian walkways were given until the year 2005. (Reported in PSAB Q & A, February 1996)

## ADMINISTRATION & PERSONNEL COMMITTEE

Mr. Davis has completed the RFP for auditors. Copies will be sent out to Council for review and then to firms for a bid, on a complete independent audit for the year 1997 and then 1998 and 1999 on an agreed upon procedure. Mr. Davis further discussed the Borough Code on the compensation for elected auditors. Since we are considering using independent auditors, will we still need the elected auditors or abolish their position? The Borough Secretary will do the audit report for the Liquid Fuel allocation.

Council discussed the Earned Income Tax collections. Mr. Pile talked about Centax (Central Tax Bureau) and their procedures. A motion was made by Mr. Davis to go with Centax for the Earned Income collection. Further discussion was held and it was decided to table the motion while Council continues to review. President Pile felt we should look at the contract before we vote.

Labor and Office evaluation forms should be turned in as soon as possible for Personnel Committee review. Mr. Davis set a meeting for November 5, 1997 at 4:00 p.m. for a Personnel Committee meeting.

## POLICE COMMISSION

Mr. Pile attended the Fall Legislative conference and Civil Service was discussed. Civil Service testing for police hiring is not necessary but recommended. Police Commission meeting October 21 at Brownstown. The Commission is in the process of preparing the 1998 budget.

## RECYCLING COMMITTEE

No report.

## INSURANCE COMMITTEE

Mr. Kory reported on the meeting with Mr. Azpell of H. A. Thomson our Insurance agent. Council invited him to attend in reference to questions on the Industrial Appraisal results and recommendations for increased insurance. Council had other questions that Mr. Azpell was able to answer. Council had agreed to the increased coverage, as recommended.

## BUDGET COMMITTEE

Mr. Rodgers asked that all Committee Chairman have their Budget requests to either him or the secretary for the October 28 and 29, 1997 Budget meeting. The tentative budgets must be ready for approval at the November meeting for final adoption at the December meeting. Mr. Rodgers reviewed the September Treasurers report and recommends we create several new budget line items i.e., Capital Fund account, or Fund balance and to find others for the miscellaneous accounts. Revenues for 1997 to date are at 91% collected. Expenses are also at a good percentage.

SHADE TREE

Mr. Krupa reported that letters have been sent to two property owners in reference to hazardous trees on their property. News items for the news letter should be turned in as soon as possible. Mr. Krupa wants to do some additional tree planting before the years end.

RECREATION/PLAYGROUND COMMITTEE

Mr. Pile introduced Mr. Bob Moore, the IUP student who is interning in the Borough. He is currently acting as a project director for the Soccer/Ballfield project. He submitted a progress report to Council Mr. Moore is asking what name should be used for the site. Council agreed on Southmont Community Park. Mr. Moore is checking on a permanent sign for the project. Council decided that Mr. Moore could do the speed survey on Southmont Blvd.

BUILDING /GROUNDS COMMITTEE

No report.

C.O.G. Report

Mr. Krupa reported that COG now has 43 members. County Commissioner Fred Soisson was at the meeting and some discussion was held on consolidation of municipalities

CHAPIN ARCH

No report.

MAYOR'S REPORT

Mayor Morgan reported that a letter should be sent to Mr. Zamias of 312 Bliss Street. He has a rock fall or slide at the rear of his property at Diamond Blvd. at the Spring House. The rocks and mud have covered the sidewalk.

SOLICITOR

No report

SECRETARY'S REPORT

Mrs. Czyrnik's report records the Cheney Oak escrow account was opened at Portage Bank. This account is to be used to reimburse the General Fund from this account. Disbursement request has been sent to the State for the leaf loader. After discussion a motion was made by Mr. Rodgers to use Erhlich's Pest Control for one month until new quotes are received. Seconded by Mr. Kory, all in favor.

TREASURER'S REPORT

Council accepted the Treasurer's report for the month of September in the amount of \$395,966.63 in the General Fund balance. Motion made by Mr. Davis

seconded by Mr. Rodgers. All in favor, motion carried.

TAX COLLECTOR

Mr. Quinn's written report for September records \$ 288.49 in Real Estate collections and \$55.00 collected in Per Capita. A motion was made by Mr. Rodgers that we received the Tax Collector's report, seconded by Mr. Leventry. All in favor, motion carried.

APPROVAL TO PAY THE BILLS

A motion by Mr. Krupa and seconded by Mr. Leventry to approve the payment of the bills in the amount of \$67,772.02. Roll Call: Mr. Rodgers, Mr. Danyluk, Mr. Davis, Mr. Krupa, Mr. Kory, Mr. Leventry and Mr. Pile, all in favor, motion carried.

OLD BUSINESS

Items on the "Tickler List" were discussed. Items were reviewed, removed and relisted.

NEW BUSINESS

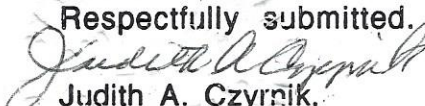
The Police Pension termination should be close to completion by the November meeting. Discussion was held on warning signs near the Cheney Oak Drive area. A motion was made by Mr. Danyluk to put warning signs up on Susan Drive. Mr. Rodgers seconded the motion. All in favor.

Mr. George Ambroe has resigned from the GJWA . Mr. Rodgers spoke with him and he agreed to continue until further notice. No action necessary at this time.

Mr. Rodgers will prepare comparables for Mr. Pile to attend the County Tax appeal schedule for October 31, 1997 for the Frey property. Mr. Danyluk had a request to change the hours at the recycling trailer. Council's recommendation is to keep the hours the same.

Motion to adjourn at 10:15 p.m. All in favor.

Respectfully submitted,

  
Judith A. Czynnik,  
Borough Secretary