

SPECIAL MEETING MINUTES
BOROUGH OF SOUTHMONT
June 27, 2000 7:00 p.m.

The Special Meeting scheduled for June 27, 2000 was called to order by President Pile at 7:00 p.m. After the pledge to the flag, the Special Meeting of Council June 27, 2000, convened.

Present: President Pile, Mr. Rodgers, R. Rovansek, Mr. Strittmatter, Mr. Danyluk, Mr. Krupa, Solicitor: Daniel R. Lovette, Engineer: David Duray.

Absent: W. Kory

At this time, President Pile reviewed with Council the proposed Resolution #2000-10 to provide for the installation, construction and erection of a sanitary sewer line to abate the discharge of pollutants into the sewer system. At the June 19, 2000 meeting of Council Mr. Sprague refused to sign the easement papers for construction to begin. Mr. & Mrs. Scott Pyshnik have signed the papers.

Solicitor Lovette explained to Council that he prepared a letter to Mr. Sprague on June 22, 2000 informing him of what the Borough intended to do to correct the sanitary sewer problems for the residents who tie into the Luzerne Street main line. To date the Borough and Solicitor Lovette have had no response. Solicitor Lovette continued with the following procedures that Council will need to act upon in order to proceed with this project. #1. Solicitor Lovette prepared and reviewed Resolution 2000-10, to regulate the sewers. #2. Solicitor Lovette prepared the actual pleading for the Declaration of Taking, which was discussed at the June 19, 2000 meeting of Council. #3. prepared a notice to Condemnees of Declaration of Taking, #4. a notice of eminent domain had been prepared, and #5. a bond needs to be prepared, stating that the Borough will be liable in the event of any damages. These documents are necessary and must be filed. Mr. Sprague would have thirty days to respond, before the Borough could begin digging.

If after the thirty days, Mr. Sprague has not responded the Borough may begin digging. Mr. Sprague could file for a Board of View for an award for damages or any inconvenience that he may have suffered.

Solicitor Lovette is seeking approval to file the necessary documents to proceed with this project. Mr. Duray has reassured Solicitor Lovette that there is no other possible way to provide this sanitary sewer line. Mr. Duray provided maps for the Council to review. Mr. Duray stated that nothing else can be done. The current line does not have enough fall and the new line would be lower than the current line and would then flow into the Luzerne Street sanitary sewer main line.

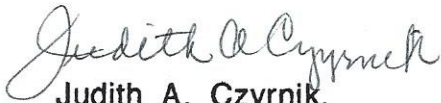
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After questions and review, Mr. Danyluk made a motion to approve Resolution 2000-10 and to authorize the Solicitor to file the Declaration of Taking for the easement, the notice to Condemnees for taking, to authorize the memorandum pursuant to Section 404 of the PA Eminent domain code, to authorize the Bond for the Borough and to serve the documents.

The motion was seconded by Mr. Krupa. Roll call: Mr. Rodgers, Mr. Rovanseck, Mr. Danyluk, Mr. Strittmatter, Mr. Krupa and Mr. Pile. All in favor, opposed none. Mr. Kory absent.

Mr. Rodgers made a motion to adjourn the Special Meeting of Council June 27, 2000 at 7:17 p.m. Seconded by Mr. Danyluk. All in favor, meeting adjourned.

Respectfully submitted,



Judith A. Czyrnik,
Borough Secretary

