

MINUTES
BOROUGH OF SOUTHMONT
July 19, 1999, 7:00 p.m.

The regularly scheduled July Council meeting was called to order by President Pile at 7:00 p.m. After the pledge to the flag, the July 19, 1999 meeting of Council convened.

PRESENT: President Pile, Mr. Rodgers, Mr. Rovansek, Mr. Krupa, Mr. Strittmatter, Mr. Kory, Mr. Leventry, Mayor Lary Koval, West Hills Police: Chief Andy Havas, Street Commissioner: Jan Bosley, Engineer: Dave Duray, Solicitor: Daniel R. Lovette, Secretary: Judith Czyrnik, Zoning Officer: Fred Pullen, and Fire Department: Michael Butler

ABSENT: none

VISITORS: Hilda Benner	230 Wonder Street	Alex Keklak	89 Thoburn St
Karen Broach	Cable Comm.	Louise Truhan	93 Thoburn St.

President Pile asked for approval of the June 21, 1999 minutes. A motion was made by Mr. Krupa to accept the minutes as written. Seconded by Mr. Leventry. All in favor, motion carried.

Karen Broach of TW Fanch Cable Comm., was present to address Council on the pending franchise transaction of the TW Fanch One Co. to Charter Communications VI. Ms. Broach stated there are three decisions to make,

- 1.) to accept the transfer and take actions,
- 2.) wait the 120 days and do nothing then the FCC will make the decision and finally
- 3.) deny the transfer,

then under Federal Law would allow us to look at the Technical, Legal and Financial abilities of Charter Communications VI. Ms. Broach stated that the former COG Cable TV group has been reinitiated and she will be working with the COG Committee. If any members of Council have any questions, please call her. Mr. Rodgers is on the COG Cable TV Committee and he will keep Council informed.

At this time President Pile called upon Mrs. Benner of 230 Wonder Street. Mrs. Benner thanked Council for cleaning out the creek area. Mrs. Benner is concerned about the lawn area that was to be replaced after the Borough redid the storm sewer line on her property. She is not satisfied with the reconstruction of her property. Mr. Leventry did look at the area after the work was done and it was fine then, perhaps some settling has occurred and it will need looked at again. President Pile suggested that Mr. Leventry and Mr. Bosley review the area. Mrs. Benner is still interested in a Street Light at the end of the street. Mr. Leventry again suggested that she look into a dusk to dawn light on her property.

At this time, President Pile changed the Agenda order, at the request of Dave Duray of Hinks & Locher Engineers. Mr. Duray has another meeting to attend tonight.

ENGINEER'S REPORT

Mr. Dave Duray of Hinks & Locher Engineers reported that he met with Kevin, and Jan on the Ballfield/Storage Shed project. The original low bid with Borg Construction was \$24,400.00. Mr. Duray has reviewed with Burgo Construction and the Recreation Committee what items could be deleted from the bid price. Some of the items are materials and others are labor items that can be done with Borough employees. The adjusted items comes to \$5,655.00 less. With the adjustments the cost would be lowered to \$18,745.00. Mr. Duray is recommending that Council approve the new figure and award the Contract pending approval of the Department of Conservation and Natural Resources (DCNR). A motion was made by Mr. Rodgers to award the Ballfield/Storage shed bid to Borg Construction in the amount of \$18,745.00 pending the DCNR approval of the deleted items. Seconded by Mr. Krupa. Roll Call: Mr. Rodgers, Mr. Rovanseck, Mr. Strittmatter, Mr. Krupa, Mr. Kory, Mr. Leventry and Mr. Pile. All In favor, opposed none. Motion carried.

The 1999 Street Paving project has been completed and everything went well. Derry Construction has some saw cutting and sealing to complete. A final inspection meeting will be set up. Mr. Kory suggested that they look at side streets off Diamond Blvd. for possible damage from the heavy trucks using the side streets (Beacon Street).

An update on PineBrooke is that they are making progress. The holding pond slide area has been corrected, some fencing and clean-up work is still being done to complete the area. Mr. Duray has a meeting with Mr. Chiodo and will remind him that Cheney Oak Drive has not been accepted and will not be accepted until the project has been completed. President Pile suggested that at next months meeting a time limit be put on the completion of this project.

Mr. Duray stated that the bid opening for the PennDot project of Chapin Arch is set for July 29, 1999. Mr. Duray will contact us with the results. Mayor Koval asked Mr. Duray to follow-up on the storm management at Lino's Restaurant and report to Council at the August meeting.

POLICE CHIEF'S REPORT

Chief Havas's written report records revenue for the month at \$838.11. All Officers attended a class sponsored by PA Department of Agriculture on how to control dogs. Officer Fisher presented a bicycle safety program at the Mound on June 15th. Officer Fisher also attended a training session on recent revisions to the Crime Victim Act and the Victims' Bill of Rights. Det. Sgt. Muslin attended a five day conference on various topics that was sponsored by the Bureau of ATF and the Maryland State Police. Mr. Rodgers thanked the WHRP for repainting the vascar lines on State Street. Chief Havas remarked about the excessive noise complaints at Lino's Restaurants outdoor deck. Chief Havas spoke with the owner and they agreed that the noise would be cut back. If it continues Chief Havas will contact the PA Liquor Control Board. Solicitor Lovette agrees that the Chief is handling the problem correctly.

Upper Yoder is planning to installing a Stop/Right Turn Keep Moving sign at Keppler Drive and State Street intersection. The Borough had requested that Chief Dan Zakraysuk look at this intersection.

ZONING OFFICER'S REPORT

Mr. Pullen's written report records ten (10) permits have been issued during the month with construction costs of \$49,205.00. The estimated year to date construction cost is \$303,323.00. Since the last meeting of Council a review was made of the swimming pools installed since 1994 for proper fencing. After inspections a letter will be written to each property owner informing them that they need a fence, with a lockable gate, three feet above the height of a swimming pool. Mr. Pullen will review pool permits prior to 1994 after this study is completed. Mr. Pullen submitted a letter from Charles Moonley of 416 Diamond Blvd., in reference to a pool house on the property of 412 Diamond Blvd. Solicitor Lovette noted that the letter was received and is on file and nothing further needs to be done. Dr. Kastelic has received a notice that he must remove the tree house. Mr. Pullen asked that it be removed in a reasonable time frame. Mr. Pullen asked again about the cover to be placed over the leveled pile of debris at George Haidar's property at 1070 Luzerne Street. Magistrate's ruling was that it was to be leveled and covered. Solicitor Lovette will send a letter to Mr. Haidar's attorney.

FIRE COMPANY REPORT

Chief Butler's written report records 11 assists for the month of June. It was noted the Department responded to a physical rescue call on Harshberger Rd. One member attended a Tactical Officers course in Lewistown at the PA State Fire Academy. Mr. Leventry asked Chief Butler about the washing machine unit recently installed. Chief Butler stated that the unit was purchased for cleaning decontaminated equipment after use in hazardous incidents. A three phase electrical line was installed to service the unit.

Mr. Borosky is attending a Hilltop Ambulance meeting tonight. The Ambulance Association is sponsoring a fund drive again this year throughout the area. Council is questioning when they had a meeting to vote on this fund drive and why we have no financial data on file. Rick Reed will be leaving the Fire Company and Chief Butler will inform Council when any appointments are made or office changes.

COMMITTEE REPORTS

STREET COMMISSIONER

Mr. Bosley's written report records that routine maintenance was completed during the month. Employees cut the weeds and trimmed trees and brush in the Cheney Run. Inspected channel and pipe and found no problems. Took recycling to Boswell and had newspaper recycling on June 5, 1999. Painted yellow lines on curves and painted STOP bars at various streets. Rebuilt and raised three catch basins on Southmont Blvd. before street paving. Also worked on two new catch basins on Diamond Blvd. prior to paving. Cleaned up Helen/Gardner Street parks. Council directed Mr. Bosley to get the new rails as needed to replace broken rails.

Mulched trees at the borough park on Diamond Blvd. Mr. Bosley will begin preparing specs for the Pole Building on Diamond Blvd. Employees have begun to replace 2 concrete sections on Leon Street.

STREET COMMITTEE

Mr. Leventry recommended that Southmont Borough hire David Decewicz for part time summer work. David is currently working for the Recreation Commission three days a week. John Butler, a part time summer employee has left the Borough for full - time employment. A motion was made by Mr. Leventry to hire David Decewicz for part time employment at \$5.15 per hour and seconded by Mr. Rodgers. All in favor, motion carried. David will work approximately 16 hours a week. Mr. Bosley also stated that we will need someone else for the leaf collection in the fall.

No other report.

ADMINISTRATION & PERSONNEL COMMITTEE

Mr. Strittmatter was informed that Tim Miller, AFSCME representative for the Union members has agreed to meet August 10th with Union members and the Negotiation Committee. Light duty regulations will be discussed further. Work is still in progress on the siren. We are still waiting for the Agility application approval from PennDot.

POLICE COMMISSION

Mayor Koval asked that an executive meeting be called at the end of the Council meeting. Commission meeting will be at Southmont Borough on Tuesday, July 20, 1999 at 7:00 p.m.

RECYCLING COMMITTEE

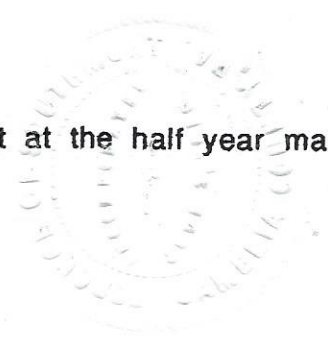
Monthly recycling chart is on file. Volume to date is 27,922#'s. Mr. Rovansek discussed the bins on the property of Hoss's Seafood and Steak House Restaurant and why we would want to continue with our program, if the County is doing the job in our area. Council questioned why the bins were placed in an area where curbside recycling is mandatory, or where there is a voluntary program in effect, and how long is this program going to be in effect. The Secretary will call the County Coordinator for clarification on the time frame and use of these bins. We will possibly ask for a County Representative to come to our meeting to explain the plan

INSURANCE COMMITTEE

Nothing new to report.

BUDGET COMMITTEE

Mr. Rodgers reviewed the Budget for June, showing that at the half year mark the receipts are at 46.2% received and expenditures are at 31.8%



SHADE TREE

Mr. Krupa stated that the Committee would be preparing the list for the fall tree planting and tree removal. After the list is prepared it will be advertised and bids will be accepted by late August and if possible work will begin early September. Mr. Krupa will look at a leaning or uprooted tree along Diamond Blvd., past the Fireman's shed.

RECREATION/PLAYGROUND COMMITTEE

Mayor Koval reported that Westmont Hilltop High School Playground project has been completed. The Recreation Commission received bids for a new lawn tractor for the Ridge. The lowest bid was \$3,400.00. RSVP's were sent out to all Council members, staff and employees of Southmont Borough to attend their second annual picnic on August 25, 1999. Ms. Troyan will look at the Helen/Gardner park areas along with Westmont High School, to determine if there is any interest.

BUILDING /GROUNDS COMMITTEE

Nothing new to report.

C.O.G. COMMITTEE

Mr. Rovanseck discussed the ongoing talks with the City of Johnstown in reference to the Dog Enforcement program they are trying to establish. The City is preparing a budget for the program. Each Municipality will be asked to join for an annual fee. A intergovernmental ordinance is being prepared for those municipalities interested. Dog and Cat enforcement in the beginning, and later wild animal enforcement would be available. Wild animal enforcement requires additional training, which would be done at a later date. The Cable TV Coalition has been reactivated in light of the Cable franchise transfer from TW Franch to Charter Comm. Mr. Rodgers will report to Council on the progress of the Committee. Mr. Rodgers is concerned with the problem of skunks in the neighborhood. Mayor Koval has submitted a name of a person who would remove skunks. Also, Ehrlich will supply a trap for residents to trap the skunk and then remove it. Both names will be given to any resident who calls about a skunk problem. The cost would be the residents responsibility.

At this time Mr. Alex Keklak and Mrs. Louise Truhan asked to speak to Council. Mr. Keklak wants to install a drainage piping thru the back yards of his and adjoining neighbor's to drain the swampy area on their property. He wants to tie this into the storm sewer pipe already in Lark Alley (Long) . After discussion, it was recommended that Mr. Bosley and Mr. Leventry meet with Mr. Keklak and review the problem. Mr. Bosley would inspect any connections to the original pipe.

CHAPIN ARCH

PennDot announced a July 29, 1999 schedule for bid opening for the Chapin Arch project.

MAYOR'S REPORT

Mayor Koval reported that the Stroke Screening tests went very well. Very good turn out. Several letters have been sent to residents in reference to high grass and weeds.

SOLICITOR

Solicitor Lovette reviewed the Must case, the issue has been referred to the Insurance Defense lawyer, who will represent Southmont Borough. He will ask that the case be dismissed. Solicitor Lovette feels we have absolute immunity in this case. At a prior meeting, Council received a petition to vacate Path Alley. Engineer's submitted descriptions and drawings to Solicitor Lovette. A motion was made by Mr. Rodgers to prepare and advertise an Ordinance to vacate Path Alley and to prepare deeds. Seconded by Mr. Krupa. All in favor, motion carried. Mr. Muncert has agreed to pay Engineering, Solicitor and filing fees.

SECRETARY'S REPORT

Mrs. Czyrnik's report records a request from PennDot in reference to the winter snow and ice control agreement. Council unanimously voted not to enter into such an agreement. Prepared Zoning Hearing Board meeting letters and advertisement for a Building Permit from C & D Associates on Lot No 3, in the PineBrooke Development.

TREASURER'S REPORT

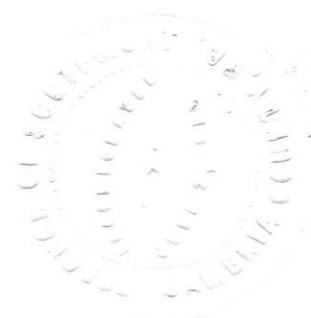
Mr. Rodgers moved to approve the Treasurer's report for the month of June as submitted in the amount of \$396,278.58 in the General Fund balance. Seconded by Mr. Kory. All in favor, motion carried.

TAX COLLECTOR

Mr. Rodgers made a motion to record that we received the June Tax Collector's report , in the amount of Real Estate \$6,246.46 and Per Capita \$415.00. Seconded by Mr. Strittmatter. All in favor, motion carried.

APPROVAL TO PAY THE BILLS

After review, a motion was made by Mr. Krupa to approve the Payment of the Bills in the amount of \$53,271.96. Seconded by Mr. Strittmatter. Roll Call: Mr. Rodgers, Mr. Rovansek, Mr. Strittmatter, Mr. Krupa, Mr. Kory, Mr. Leventry and Mr. Pile. All in favor, opposed none. Motion carried.



OLD BUSINESS

President Pile asked for review of items on the "Tickler List" . Items were reviewed, removed or re-listed. Lyme disease inoculation was discussed. Mr. Strittmatter checked on Lyme disease and the available inoculation. It appears that the inoculation is not recommended and researchers do not know all the complications from the inoculation. After discussion with a Doctor of infectious diseases, it is recommended that we do nothing as this has not been found to be a problem in this area.

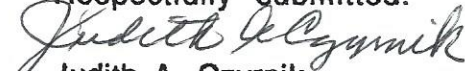
Signs are still up on Menoher Highway. Council suggested that we send this information to PennDot for any action.

NEW BUSINESS

There are two more newspaper recycling dates for the 1999 program, one on August 5th and then October 23rd.

At this time an Executive Session was called. (9:10 p.m.) Council reconvened at 9:24 p.m. There being no further questions, a motion was made by Mr. Rodgers to adjourn the June meeting, motion was seconded by all. Council adjourned 9:25 p.m.

Respectfully submitted.


Judith A. Czyrnik,
Borough Secretary

