

MINUTES
BOROUGH OF SOUTHMONT
June 21, 2004 7:00 p.m.

The scheduled June Council meeting was called to order by President Pile at 7:00 p.m. After the pledge to the flag, the June 21, 2004 meeting of Council convened.

PRESENT: President Pile, Mr. Rodgers, Mr. Graham, Mr. Kory, Mr. Krupa, Mr. Strittmatter, Mr. Danyluk, Solicitor: Daniel R. Lovette, Mayor: Gerry Sloat, Engineer: Tom Gray, West Hills Police: Chief Andy Havas, Borough Manager: Loretta Spak and Zoning Officer: Dyke Orms

ABSENT: Fire Chief: Chet Borosky and Street Commissioner: Jan Bosley

VISITORS: Mr. & Mrs. Curtis, 204 Thoburn St., subject: Dogs barking, smell and clean up.
Mr. & Mrs. Shearer, 117 Leila St., subject same as above.
Mr. Joe Sernell, GIS/Website/Technology employee, pictures and Bio's of Council members.

President Pile asked for approval of the May 17, 2004 Council Minutes and Committee Meeting Minutes of June 15, 2004. A motion was made by Mr. Krupa to accept the Minutes, as submitted. Seconded by Mr. Strittmatter. All in favor, motion carried.

President Pile introduced Mrs. Curtis of 204 Thoburn St., to discuss their concerns with dogs barking and clean up (smells) from Pet Zone a pet grooming business on State and Thoburn St. At the zoning hearing board they were told there would be no overnight boarding of pets, hours are from 8:00 AM to 8:00 PM and no kennels outside of building on premises. Mr. & Mrs. Curtis can hear dogs barking in the evening hours; Mr. & Mrs. Shearer of 117 Leila St. can also hear dogs barking. Another concern is a smell from urination and defecation. Not all customers are picking up after their pets. Council is working on a draft ordinance on these concerns. The draft ordinance will be placed on agenda for the committee meeting on July 6th. Ms. Spak will update Mr. & Mrs. Curtis and Mr. and Mrs. Shearer on progress. Parking is another problem. Mr. Rodgers made a motion to paint the curb yellow and install no parking signs on all four (4) corners. Seconded by Mr. Danyluk. All in favor, motion carried. Ms. Spak is to send a letter to Pet Zone addressing residents concerns.

Joe Sernell updated council on progress of the Website, the GIS program and GIS meeting he attended.

POLICE CHIEF'S REPORT:

West Hill Police Chief Andy Havas report records revenue for May in the amount of \$192.43. Notice of approval for West Hills Regional Police Department to receive a DCED shared services grant for eleven thousand dollars (\$11,000); these funds will be used toward the purchase of a new police vehicle.

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Chief Andy Havas and Mayor Sloat will look into the concerns (stop/right turn keep moving/slow/sharp turn signs on Orchard, Gardner and Olive Streets) addressed to Council at committee meeting and letter dated June 8th from the Yates' family. They will report their findings at the next Council meeting.

ZONING OFFICERS REPORT

Mr. Orm's report records activity as of 6/15/04; thirty two (32) permits and a total construction of \$69,533. Mr. Orms is concerned on the wording on the fence ratio (not less than one to one) on Ordinance #359. Mr. Orms will look at other municipal ordinances on fencing; this will be addressed at the committee meeting of July 6th. President Pile opened the floor for discussion on the Uniform Construction Code. Mr. Rodgers stated that he feels very strongly that we should not get involved in state business; we should not dictate to the residents who they should use for inspections - "opt out". Mr. Kory agrees with Mr. Rodgers to let the residents make their own selection. Mr. Orms agrees with Mr. Rodgers and Mr. Kory - he doesn't like the idea of someone telling him who to use; let the state take care of what they started, you can always "opt-in" later. Mr. Krupa stated it would keep the residents consistent in pricing and getting the inspections done quickly; the council will be kept aware by agency on monthly basis on what is getting done (tax assessment information). We can also decide to "opt out" later - "opt in"; safety issue. Mr. Rodgers made a motion to call for a vote on ordinance 445 adopting the UCC; if "opt-in" vote yea, if "opt-out" vote nay. Seconded by Mr. Kory. Roll Call: Mr. Rodgers nay, Mr. Graham nay, Mr. Kory nay, Mr. Danyluk nay, Mr. Strittmatter yea, Mr. Krupa yea and Mr. Pile yea. Ordinance defeated four (4) to three (3).

FIRE COMPANY REPORT

Chief Borosky absent; report records that there were 17 responses during the month of May. There were three calls between the hours of 10 PM to 7 AM. We received in writing The Johnstown Brewing Company has passed the fire safety inspection; all prior deficiencies have been corrected. The Hilltop Ambulance report was received and is on file.

ENGINEER'S REPORT

Mr. Gray reported that the 2004 paving by Quaker Sales will be started this week; milling on Wednesday, paving on Thursday and tar & chip on Friday. Ms. Spak and Mr. Bosley will check if the paving and line painting are going to affect each other; comparison on roads to be worked on. Streets not affected will be lined as soon as possible. Those to be paved will be done at a later date. The MS4 annual report for year one of program has been received. Mr. Gray is working on summarizing the requirements for second (2nd) year report; mapping, out falls, flow after dry period, etc. The sewage 2004 tap allocation has been received. The flow meters have been pulled and calibrated; readings are erratic talking with supplier will have answer next month. Mr. Sernell and Mr. Lazarus are in contact concerning the GIS. Ms. Spak will look over agreement with Mr. Gray to see if phases/requirements are being met. Mr. Gray and Mr. Bosley are working on the completion of the

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six (6) items for the sewage corrective action plan from DEP; progress report is due in July.

COMMITTEE REPORTS

STREET COMMISSIONERS REPORT

Mr. Bosley absent; written report was received.

STREET COMMITTEE REPORT

Mr. Danyluk and Mr. Bosley will be ranking the most important jobs to least important jobs; hot list for road crew. Ms. Spak will be calling back to work two part time laborers and interviewing applicants for one more part time laborer. Mr. Danyluk has completed the sidewalk survey; 39 need to be re-notified, 27 have been corrected and 5 new repairs are noted. Next inspection will be due for North side in 2007 and South side in 2008; inspected every five years. Street lights are being repaired. Grass cutting by Clean Lawn is going well; no complaints. Grass will not need to be cut as often when weather breaks. The pole building is up and looks good.

ADMNS. & PERSONNEL COMMITTEE

Mr. Krupa made a motion to amend the Personnel Policy and Procedures Manual with the Comp Time Policy for the non-union full time personnel. Seconded by Mr. Danyluk. All in favor, motion carried. Mr. Rodgers made a motion to amend the Personnel Policy and Procedures Manual with the Internet and Technology Usage Policy. Seconded by Mr. Danyluk. All in favor, motion carried.

At 8:15 p.m. an Executive Session was called. At 8:30 p.m. Council reconvened; discussed Personnel issues.

POLICE COMMITTEE

The committee met last Tuesday, June 15th. The main discussion was the Memorial Day parade. The Police Employment Agreement was signed by the policemen.

RECYCLING COMMITTEE

Mr. Kory reported on the recycling recap; we are in line for the five (5) months in 2004 with 2003.

INSURANCE COMMITTEE

Ms. Spak will be getting bids for Workers Compensation. EMC (our carrier) renewal date is August 1st; put on agenda for committee meeting July 6th. Mr. Rodgers made a motion to adopt the STD/LTD benefit for Non-union full time personnel (2 at this time) with PSAB using Allied National option 2; which is a 26 week benefit period for STD 180 day elimination for LTD. Seconded by Mr. Krupa. All in favor, motion carried. A separate account number will be set up for STD & LTD. Harleysville has increased councilmember's life insurance effective July 1st. If any Councilmember would like to be added on or change coverage contact Ms. Spak.

BUDGET COMMITTEE

Ms. Spak will call Kris Cramer from Kline Kimlin to set up a schedule for GASB accounting for 2004. Mr. Strittmatter has nothing new to report.

SHADE TREE REPORT

Mr. Krupa mentioned the one tree for Leila Street (Arbor Day celebration) should be planted, by Lichtenfels, this week. The tree for Stephen Krause will be planted at the Diamond playground. Two red maples will be replaced for free at the corner of State and Dell; Lichtenfels' trees are guaranteed. Mr. Bosley will take care of overhanging trees on Leak Alley; making the alley ready for paving. Overhanging trees on the streets of the Borough is the responsibility of our road crew. Overhanging trees in alleys and sidewalks are the residents' responsibility. To open up for fire trucks, garbage trucks, etc. A letter will be sent to residents to trim their alley trees; stating they should call Mr. Bosley or Mr. Krupa for the trimming guidelines. Mr. Krupa will check the overhanging trees on sidewalks at the 400 block of State and the 500 block of Leila. Mr. Krupa will be having the two dead trees on the corner of Olive & Maple (Tarsovich) removed and replaced.

RECREATION COMMITTEE

Received the minutes for the election of officers from April 28th. Mr. Rodgers mentioned some of the equipment at the Diamond playground needs repaired (sliding boards, jumping horses, more mulch, etc.); President Pile will bring up at next recreation meeting. Ms. Spak to call the Johnstown Water Authority and have the water turned on at the Diamond playground.

BUILDING/GROUNDS REPORT

Mr. Kory noted that the Pole Building is completed; it's nice with a lot of storage room. The road crew did a very good job on tapering and clearing the ground area to accommodate the new building. The flooring of the Pole Building is milled like other shed.

COG REPORT

Nothing new to report.

GRANDVIEW COMMITTEE

Nothing new to report.

GREATER JOHNSTOWN WATER AUTHORITY

The minutes from the June 4, 2004 meeting were received. The Water Authority received a three (3) month extension for the new building; they still plan on being ready October/November. At the July 6th committee meeting Council will interview Dave Dunklesberger for the opening by Mr. Schmidt (moving out of water area). Mr. Dunklesberger is highly recommended by Solicitor Lovette and Mr. Soulcheck.

Lower State Street Committee

Ms. Spak will be calling PennDot to set up meeting. Nothing new to report.

MAYOR'S REPORT

Mayor Sloat investigated the request from Ms. Ajay, 204 State Street, for a four way stop on State and Olive. Mayor Sloat feels there is no justification for the stop sign; 2 reportable accidents and 8 traffic violations at that intersection since 1996. Ms. Spak will send a letter to Ms. Ajay to inform her of decision. Mr. Strittmatter will contact PennDot and see what the cost to buy or rent a counter which records the number of vehicles using a street. Mayor Sloat will look into the letter from Joseph Gaydos, 414 Southmont Blvd.; appearance of yard at 105 Peden Lane.

SOLICITOR'S REPORT

Solicitor Lovette stated the check for the Wren Street property should be received within the next two weeks. Solicitor Lovette, a few months ago, received a copy of a motion to revoke the appointment of the board of review on the sewer line at the Luzerne Street extension (Sprague). Judge Long evoked that board and appointed a new board; Solicitor Lovette will keep Council updated. The draft ordinance on skateboards, scooters and motorized scooter will be looked at during committee meeting. President Pile asked Council if there is a motion to amend ordinance #440 (Kittka's and Spada's request). No motion to change, ordinance #440 will stay as is. Ms. Spak will send a letter informing the Kittka's and Spada's. You can not regulate appearance on private property. Solicitor Lovette stated an ordinance stating what can and cannot be placed on property would be difficult to enforce.

MANAGER'S REPORT

Ms. Spak's written report was submitted. The letter from Assessment Office on year 2005 millage rates will be addressed at Budget time (fall). Mr. Rodgers made a motion to adopt the IRS standard mileage rate. Seconded by Mr. Danyluk. All in favor, motion carried. Ms. Spak will do a resolution. Mr. Rodgers made a motion to accept the Manager's Report. Mr. Danyluk seconded. All in favor, motion carried.

TREASURER'S REPORT

Mr. Rodgers made a motion to approve the May's Treasurer Report in the amount of \$272,447.80. Seconded by Mr. Kory. All in favor, motion carried.

TAX COLLECTOR'S REPORT

Mr. Rodgers noted that we received the May Tax Collector's report with Real Estate revenues at \$42,529.15. Seconded by Mr. Strittmatter. All in favor, motion carried.

PAYMENT OF BILLS

Mr. Rodgers made a motion to approve payment of bills in the amount of \$39,405.81. Seconded by Mr. Strittmatter. Roll Call: Mr. Rodgers, Mr. Graham, Mr. Kory, Mr. Danyluk, Mr. Strittmatter, Mr. Krupa and Mr. Pile all in favor, opposed none.

OLD BUSINESS

President Pile asked to remove STD & LTD and add elected vs. outside auditor to the "Tickler List". A Committee Meeting is scheduled for July 6th. Items on agenda are: Draft of dog, scooters, fence and noise ordinance; zoning permit, interview Mr. Dunklesberger (Water Authority membership), quotes for worker comp., zoning permits and retirement package. Tomato Alley midway between Queen St. and Harshberger St. still needs streetlight.

NEW BUSINESS

When adding new items to "Tickler List" note date added beside item.

At 9:20 PM an Executive Session was called. At 9:27 PM Council reconvened; discussed personnel issues.

Mr. Graham made a motion to have Kline Kimlin do an audit for tax collections January 1, 2003 to present; continue this practice on an annual basis along with Borough office. Seconded by Mr. Danyluk. All in favor, motion carried.

There being no further business, a motion was made by President Pile for adjournment of the June 21, 2004 meeting at 9:30 p.m. Seconded by Mr. Danyluk.

Respectfully submitted,

Loretta Spak, Borough Manager
6/25/2004 8:24 AM