

BOROUGH OF SOUTHMONT
148 WONDER STREET
JOHNSTOWN, PA 15905

MINUTES FOR FEBRUARY 21, 2022

The pledge of allegiance was conducted, and the scheduled February 21, 2022 Council meeting was called to order by President Bill Trevorror at 4:00 p.m.

Present: Council President Bill Trevorror, Council members Eric Muncert, Doug Beri, Richard Burkert; Herb Ewald, Borough Manager Amanda Layton; Solicitor Michael Carbonara; Police Chief Edward Fisher; Fire Chief Joel Weslager; Mayor Anthony Keiper; Engineer Scott McEldowney; Street Commissioner Harry Lingenfelter, Asst. Sec. Debra Riek.

Absent: Council Members Kevin Pile and Sheree Speicher; Engineer Todd Banks.

Visitors: Robert Walker (312 State St.), Mr. Rudd Johnson (207 Mabel St.), Russ O'Reilly (Tribune Democrat)

Solicitor Carbonara requested an executive session be added to the agenda to discuss legal issues regarding the Department of Environmental Protection.

Public Comment

Mr. Walker addressed council regarding issues he feels are being ignored such as ordinance violations, Cheney Run and the borough building roof. Mr. Trevorror stated he heard Mr. Walker's concerns and action is being taken on these items along with several other issues.

Correspondence

Council reviewed correspondence received from a Southmont Borough resident, Ann Furlong, requesting reconsideration of the Cambria County Library contribution by the borough. Mr. Trevorror reported the Cambria County Library receives enough funding from other sources and most municipalities do not contribute.

Minutes

A motion was made by Mr. Burkert to approve the January 24, 2022 council meeting minutes. Motion seconded by Mr. Beri. Mr. Pile and Mrs. Speicher were absent. All in favor, motion carried (5-0).

Police Chief's Report

The January 2022 Police Chief's Report was received. Chief Fisher reported their call volume has significantly increased since last year and all of the full-time officers are three-quarters of the way through training and will complete certification by April.

Fire Company Report

Chief Weslager stated he hasn't received an update on the house fire at 200 State Street and thinks it is still under investigation, but noted the structure is a hazard the way it is sitting. Mrs. Layton stated the borough has not received any fire escrow funds from the insurance company. Solicitor Carbonara will follow up with the insurance company.

Engineer's Report

Mr. McEldowney reported there are approximately 90 properties needing repairs to be completed to remove excess flows and 49 of those properties are under contract for the work to be completed.

Mr. McEldowney reported the Cheney Run Headwall Project is ready to go and is just waiting on two easements to be signed. Solicitor Carbonara reported a site visit was held with the two property owners and they had a few requests noting he will revise the easements and send them back out to the property owners to be signed.

Zoning Officer's Report

Mr. Trevorrow stated he will advise Mr. Walker that council would like him to implement a three step policy to handle code violations noting a notice will be sent out from the borough manager for action to be taken within 30 days. If no action is taken a zoning officer notice will be sent it be done within 30 days. The residence will be referred to the District Magistrates office, which will be the last step of action after the 60 days without action. This will give the resident 60 days to be in compliance with the borough ordinances.

Mr. Muncert inquired about the status of the Grimaldi property on Southmont Blvd. There was some discussion, and it was decided to have Mr. Walker proceed with action to clean up the property to comply with the property maintenance codes.

Street Commissioner's Report

Mr. Lingenfelter reported he currently has one plow per truck and during a recent snow event one of the plows needed to go out for repairs, so a spare plow is needed for these situations noting one was available through Stephenson Equipment, which is a COSTARS member, for \$6,500.00.

Mr. Trevorrow stated that Mr. Lingenfelter and his staff are doing a good job during the winter storms.

Solicitor's Report

An executive session was called at 4:30 p.m. to discuss legal issues regarding the Department of Environmental Protection Consent Order and easements for the Cheney Run Headwall Project. Executive session ended at 5:25 p.m. and council resumed its regularly scheduled meeting.

Solicitor Carbonara reported he met with the Department of Environment Protection regarding the consent order extension and at that time it was discussed that the borough would not enter into an extension, but instead DEP was requesting a plan of correction as per the current consent order agreement. Solicitor Carbonara advised DEP that the borough would get them a decision related to that. Solicitor Carbonara stated the plan would be to get the initial 237 excess flow properties into compliance before December 31, 2022 and afterwards there would be a two phase option of either phasing in additional under-slab testing or adding holding tanks.

Borough Manager Report

Mrs. Layton reported garbage and sewer maintenance fees needed to be removed from the following properties: 407 Southmont Boulevard (\$8,408.07 – Sold at Judicial Sale), 921 Menoher Boulevard (\$152.00 – Garbage fees erroneously applied), 509 State Street (\$352.00 – Garbage and sewer maintenance fees erroneously applied), 405 Southmont Boulevard (\$13.80 – Penalty erroneously applied),

February 21, 2022 Minutes – Page 3 of 5

322 Southmont Boulevard (\$13.80 – Penalty erroneously applied), 153 Arlington Street (\$13.60 – Penalty erroneously applied). A motion was made by Mr. Ewald to remove garbage, sewer maintenance, and/or penalties as requested for 407 Southmont Blvd., 921 Menoher Blvd., 509 State Street, 405 Southmont Blvd., 322 Southmont Blvd., and 153 Arlington Street. Motion seconded by Mr. Muncert. Mr. Pile and Mrs. Speicher absent. All in favor, motion carried (5-0).

A motion was made by Mr. Beri to approve the purchase of a spare plow for \$6,500.00 from Stephenson Equipment, Inc. Motion seconded by Mr. Muncert. Mr. Pile and Mrs. Speicher absent. All in favor, motion carried (5-0).

Mrs. Layton discussed the attendance to the PSAB Annual Conference May 22 to May 25, 2022, in Hershey PA and informed council if anyone is interested in attending to let the office know so reservations can be made.

Mayor's Report

Mayor Keiper reported the Cambria County Human Society has a program where municipalities can enter into a contract and the humane society will pick up stray animals. Mrs. Layton stated she spoke with Jessica Vamos and has a draft contract ready for the Borough Services Committee to review.

Mr. Ewald left the meeting at 5:40 p.m.

Committees:

Administration: Nothing to report.

Audit: Mr. Pile absent. Nothing to report.

Ballfield Improvement: Mrs. Speicher absent. Nothing to report.

Borough Services: Mr. Pile absent. Nothing to report.

Budget/Tax Collection: Mr. Pile absent. Nothing to report

Building & Grounds: Mr. Trevorrow stated the committee will be meeting to discuss various items that need to be addressed with the borough building such as a roof replacement and the restrooms need to be ADA compliant.

Emergency Management: Nothing to report.

GJWA: Nothing to report.

Grants: Mr. Beri stated the Grants Committee will meet Monday, February 28, 2022 at 3:00 p.m. to discuss local share grants noting the Cheney Run Project and the borough building roof will be good projects to start with.

February 21, 2022 Minutes – Page 4 of 5

Insurance: Mr. Muncert reported FWF Insurance will be the agent of record for the borough's workers compensation insurance noting they can hopefully save the borough money during renewal like they were able to with the liability insurance.

MS4/Stormwater: Nothing to report.

Open Records: Nothing to report.

Personnel: Nothing to report.

Police: Nothing to report.

Shade Trees: Mr. Muncert stated he would be getting in touch with Bob Morgan on where he left off with shade trees and what was remaining at the end of 2021.

Streets: Mrs. Speicher absent. Nothing to report.

New/Old Business

Mr. Trevorrow addressed the council on a proposed mission statement for the borough. A motion was made by Mr. Muncert to accept the proposed mission statement, which states "The mission statement of Southmont Borough is to promote responsible municipal government services to its citizens in an efficient, responsible, cost-effective manner. All services and ordinances shall be for and to protect and preserve the health, safety and welfare of the Southmont Borough Community". Motion seconded by Mr. Beri. Mr. Pile, Mr. Ewald and Mrs. Speicher absent. Roll Call: Mr. Trevorrow, Mr. Muncert, Mr. Beri in favor. Mr. Burkert opposed. Motion passed (3-1).

The council discussed ways to acknowledge the service of Robert Morgan and Richard Rodgers and suggested planting trees at the borough building and Diamond Blvd. Playground in their honor for the 2022 Arbor Day Ceremony with a plaque.

Business Items

A motion was made by Mr. Muncert to approve ratification of payroll from January 25, 2022 through February 21, 2022 in the amount of \$13,359.48 Motion seconded by Mr. Burkert. Mr. Pile and Mrs. Speicher and Mr. Ewald absent. Roll call: Mr. Trevorrow, Mr. Muncert, Mr. Beri and Mr. Burkert in favor. Motion carried (4-0).

A motion was made by Mr. Muncert to approve payment of bills from January 25, 2022 through February 21, 2022 in the amount of \$ 176,963.52. Motion seconded by Mr. Beri. Mr. Pile. Mrs. Speicher and Mr. Ewald absent: Roll call: Mr. Trevorrow, Mr. Muncert, Mr. Beri and Mr. Burkert in favor. Motion carried (4-0).

A motion was made by Mr. Beri to approve transfers from January 25, 2022 through February 21, 2022 in the amount of 69,813.34. Motion seconded by Mr. Muncert. Mr. Pile, Mrs. Speicher and Mr. Ewald were absent. Roll call: Mr. Trevorrow, Mr. Muncert, Mr. Beri and Mr. Burkert in favor. Motion carried (4-0).

February 21, 2022 Minutes – Page 5 of 5

A motion was made by Mr. Beri to approve the January 2022 treasurer's report in the amount of \$1,564,530.41. Motion seconded by Mr. Muncert. Mr. Pile, Mrs. Speicher, and Mr. Ewald absent. Roll call: Mr. Trevorrow, Mr. Muncert, Mr. Beri and Mr. Burkert in favor. Motion carried (4-0).

A motion was made by Mr. Beri to approve note the receipt of the January 2022 tax collector's report in the amount of \$0.00. Motion seconded by Mr. Muncert. Mr. Pile, Mrs. Speicher, and Mr. Ewald absent. All in favor, motion carried (4-0).

There being no further business, a motion was made by Mr. Muncert for adjournment of the February 21, 2022 meeting at 6:10 p.m. Motion seconded by Mr. Beri. Mr. Pile, Mrs. Speicher and Mr. Ewald absent. All in favor, motion carried (4-0).

Respectfully submitted,

Debra Riek
Assistant Secretary