

BOROUGH OF SOUTHMONT
148 WONDER STREET
JOHNSTOWN, PA 15905

MINUTES FOR APRIL 19, 2021

The pledge of allegiance was conducted, and the scheduled April 19, 2021 Council meeting was called to order by President Speicher at 4:00 p.m.

Present: Mayor Mark Yonko; Council President Sheree Speicher; Council Members Richard Rodgers, Kevin Pile, Eric Muncert, Herb Ewald, Robert Morgan and William Trevorrow; Solicitor Michael Carbonara; Exec. Sec. Amanda Layton; Street Commissioner Harry Lingenfelter; Police Sgt. Edward Fisher

Absent: Fire Chief Michael Butler; Engineer Todd Banks

Visitors: Robert Walker (312 State Street), Gary Cernetich (527 Edward Street)

Public Comment

Mr. Cernetich inquired what the police are going to do regarding the townhouses on Edward Street and other suspicious properties noting there is a strong marijuana odor coming from the townhouses. Sgt. Fisher informed Mr. Cernetich that we cannot control who rental property owners decide to lease to and if he notices anything suspicious, he is to call the West Hills Regional Police and an officer will investigate. Mr. Cernetich stated he received an excess groundwater letters and inquired if all residents would be required to comply. Mrs. Speicher informed Mr. Cernetich that our engineers have inspected most of the homes in the borough during wet weather events and only residents that failed the inspections are required to make necessary repairs to comply. Mr. Cernetich also stated the restorations from the sewer replacement project was horrible noting the contractor subcontracted lawn restorations to Miller Paving so it wasn't done properly.

Correspondence

Council reviewed correspondence received from Robert Zellers at 313 Gardner Street requesting the "Watch Children" and "10 m.p.h" signs in Kale Alley be moved to the right side of Gardner Street approximately thirty feet from the intersection of Diamond Blvd. and Gardner Street to help with traffic using Gardner Street as a shortcut to avoid traffic congestion at Menoher Blvd. and Diamond Blvd. noting some are traveling at a high rate of speed. Council requested West Hills Regional Police put up their speed trailer in that area and provide council with the data before they decide.

Council also reviewed correspondence received from Nick & Leah Patton of 486 Southmont Blvd. requesting permission from council to install a memorial bench at the basketball/tennis court on Wonder Street, add to the current landscaping and hold a small memorial service for their son Luke. A motion was made by Mr. Ewald to approve the request with the condition that Mr. and Mrs. Patton submit official plans for the landscaping and bench. Motion seconded by Mr. Pile. All in favor, motion carried (7-0).

Minutes

A motion was made by Mr. Pile to approve the March 15, 2021 council meeting minutes. Motion seconded by Mr. Rodgers. All in favor, motion carried (7-0).

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A motion was made by Mr. Pile to approve the April 12, 2021 special meeting minutes. Motion seconded by Mr. Rodgers. All in favor, motion carried (7-0).

Police Chief's Report

Sgt. Fisher reported Chief Lose and Det. Sgt. Musulin will be retiring as of May 3, 2021 noting he will be taking over as Police Chief and Dean West will taking over as Detective.

Fire Company Report

Chief Butler absent. The March 2021 monthly Fire Company Report was received and is on file.

Engineer's Report

Mr. Banks absent. The remaining inflow and infiltration inspections will be completed during the next wet weather event.

Zoning Officer's Report

The March 2021 zoning report was received and is on file.

Street Commissioner's Report

Mr. Lingenfelter reported there is an issue with the sanitary sewer line at 103 Violet Street noting Kukurin Contracting did the initial work and the property owner would have to call a plumber every two to three months due to a backup. Mr. Lingenfelter stated at that time Kukurin was done in the area, so the borough had Snyder Environmental Services try to repair the work, which then started backing up every two to three weeks. Mr. Lingenfelter stated Todd Banks thought the issue was being caused by a small lip and suggested the borough workers slip a 4-inch pipe in near the foundation. Mr. Lingenfelter noted while he was attempting that repair he noticed the clean-out and observation stack were possibly installed backwards and the plans don't correctly show where the sewer line is going into the house. Solicitor Carbonara will speak with Mr. Banks to come up with a plan.

Solicitor's Report

A motion was made by Mr. Morgan to approve advertising Ordinance No. 532, amending the traffic and roadway regulations of the borough. Motion seconded by Mr. Rodgers. All in favor, motion carried (7-0).

A motion was made by Mr. Pile to approve Resolution 2021-04, adopting an application form to obtain a Certificate of Inflow & Infiltration Compliance and a Temporary Certificate of Inflow & Infiltration Compliance. Motion seconded by Mr. Morgan. All in favor, motion carried (7-0).

A motion was made by Mr. Pile to approve Resolution 2021-05, adopting a fee for making an application to obtain a Certificate of Inflow & Infiltration Compliance and a Temporary Certificate of Inflow & Infiltration Compliance. Motion seconded by Mr. Morgan. All in favor, motion carried (7-0).

Solicitor Carbonara reported he submitted the audit letter he received from Kotzan's & Associates for the borough's audit.

Mr. Pile stated the notices sent to residents that failed the wet weather inspections were given an eight-month deadline, but there was nothing informing them of the penalties that would be imposed if the necessary repairs were not made and suggested possibly adding penalties or shutting off the water to the

property. Solicitor Carbonara stated the borough office has been getting questions asking what to do if they apply for the JRA loan or hire a contractor, but the work cannot be completed within the eight-month time frame and noted those residents would need to obtain something in writing giving a timeframe for when the work would be completed. Solicitor Carbonara stated a policy needs to be drafted to include penalties and extension requests.

Executive Secretary Report

A motion was made by Mr. Rodgers to approve the 2021 County Aid Grant Application in the amount of \$20,600. Motion seconded by Mr. Pile. All in favor, motion carried (7-0).

A motion was made by Mr. Pile to approve a reimbursement request from Alexander Klekovkin at 316 Cheney Oak Drive for \$1,376.03 for fees erroneously paid toward his garbage and sewer maintenance account that was meant for a different utility and a reimbursement request from Aaron & Brooke Stepler, previous owners of 405 Olive Street, for \$176.00 that was paid by them and also paid by the closing company. Motion seconded by Mr. Morgan. All in favor, motion carried (7-0).

Mrs. Layton presented three applications for the volunteer service tax credit for Stephen Costic (472 Southmont Blvd.), Herb Ewald (335 Southmont Blvd.) and Philip Staib (159 Arlington Street). A motion was made by Mr. Morgan to approve the volunteer service tax credit application received from Stephen Costic in the amount of \$64.84. Motion seconded by Mr. Rodgers. All in favor, motion carried (7-0). A motion was made by Mr. Morgan to approve the volunteer service tax credit application received from Herb Ewald in the amount of \$30.87. Motion seconded by Mr. Rodgers. All in favor, motion carried (7-0). A motion was made by Mr. Morgan to approve the volunteer service tax credit application received from Philip Staib in the amount of \$87.04. Motion seconded by Mr. Rodgers. All in favor, motion carried (7-0).

Mayor's Report

Mayor Yonko reported the Westmont Hilltop School District needs a location to hold throwing events such as javelin and shotput and wanted to submit a request to council to consider allowing them to use the soccer field along Wonder Street. Mayor Yonko stated they would need to install at least two concrete pads and a runway for the events. A motion was made by Mr. Pile to decline the request from Westmont Hilltop School District request to hold throwing events at the soccer field. Motion seconded by Mr. Morgan. All in favor, motion carried (7-0).

New Business

A motion was made by Mr. Morgan to approve the Cambria County Special Hazards and Response Program (SHARP) Agreement. Motion seconded by Mr. Pile. All in favor, motion carried (7-0).

Council reviewed a request received from Westmont Hilltop School District requesting permission to hold a graduation parade on Wednesday, May 26th at 4:00 p.m. from Westmont Hilltop Jr/Sr High School to Westmont Hilltop Elementary School and were concerned with traffic congestion because the parade is being planned for a weekday during a time that traffic is normally heavy. A motion was made by Mr. Pile to decline the parade request from Westmont Hilltop School District. Motion seconded by Mr. Morgan. All in favor, motion carried (5-0). Council agreed they would be willing to reconsider the request if it was resubmitted with a different time of day or moved to a weekend.

Council reviewed a request from the Stackhouse Park Board stating they are applying for a DCNR grant to prepare a Master Site Development Plan and are requesting a letter of support from the borough for

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inclusion into the grant application. A motion was made by Mr. Pile to approve the request from Stackhouse Park for a letter of support to be included in the grant application for DCNR. Motion seconded by Mr. Ewald. All in favor, motion carried (7-0).

Committees:

Streets: Nothing to report.

Administration: Mrs. Speicher reported Don Hall from Westmont Borough requested a meeting with her to discuss recreation.

Personnel: Nothing to report.

Police: Mr. Morgan reported the monthly meeting will be held tomorrow and two officers will be interviewed.

Budget/Tax Collection: Nothing to report.

Shade Trees: Nothing to report.

Bldg. & Grounds: Nothing to report.

GJWA: Mr. Pile reported the water authority now has a vac truck available to rent at \$167.00 per hour including the operator.

Open Records: Nothing to report.

Borough Services: Nothing to report.

Audit: Nothing to report.

Insurance: Nothing to report.

Blighted Properties: Nothing to report.

Ballfield Improvement: Nothing to report.

Business Items

A motion was made by Mr. Morgan to approve ratification of payroll from March 16, 2021 through April 19, 2021 in the amount of \$11,524.49. Motion seconded by Mr. Pile. Roll call: Mr. Pile, Mr. Trevorrow, Mr. Rodgers, Mr. Ewald, Mr. Muncert, Mr. Morgan and Mrs. Speicher in favor. Motion carried (7-0).

A motion was made by Mr. Morgan to approve payment of bills from March 16, 2021 through April 19, 2021 in the amount of \$159,173.59. Motion seconded by Mr. Pile. Roll call: Mr. Pile, Mr. Trevorrow, Mr. Rodgers, Mr. Ewald, Mr. Muncert, Mr. Morgan and Mrs. Speicher in favor. Motion carried (7-0).

A motion was made by Mr. Morgan to approve transfers from March 16, 2021 through April 19, 2021 in the amount of \$123,517.82. Motion seconded by Mr. Pile. Roll call: Mr. Pile, Mr. Trevorrow, Mr. Rodgers, Mr. Ewald, Mr. Muncert, Mr. Morgan and Mrs. Speicher in favor. Motion carried (7-0).

A motion was made by Mr. Morgan to approve the March 2021 treasurer's report in the amount of \$1,319,132.85. Motion seconded by Mr. Pile. All in favor, motion carried (7-0).

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A motion was made by Mr. Morgan to note the receipt of the March 2021 tax collector's report in the amount of \$106,768.83. Motion seconded by Mr. Pile. All in favor, motion carried (7-0).

President Speicher called for an executive session at 5:21 p.m. to discuss legal matters. Executive session ended at 5:37 p.m. and council resumed its scheduled meeting.

There being no further business, a motion was made by Mr. Muncert for adjournment of the April 19, 2021 meeting at 5:37 p.m. Motion seconded by Mr. Morgan. All in favor, motion carried (7-0).

Respectfully submitted,

Amanda Layton
Executive Secretary