

BOROUGH OF SOUTHMONT  
148 WONDER STREET  
JOHNSTOWN, PA 15905

MINUTES FOR JULY 18, 2022

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The pledge of allegiance was conducted, and the scheduled July 18, 2022 Council meeting was called to order by Vice President Eric Muncert at 4:00 p.m.

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**Present:** Council Members Eric Muncert, Doug Beri, Richard Burkert, Herb Ewald, Bob Morgan, Kevin Pile, Borough Manager Amanda Layton; Solicitor Michael Carbonara; Police Officer Dean West; Fire Chief Joel Weslager; Mayor Anthony Keiper; Street Commissioner Harry Lingenfelter, Asst. Sec. Debra Riek.

**Absent:** Engineer Todd Banks.

**Visitors:** Robert Connelly (106 Arlington St.); Elizabeth Mayer (208 Gardner St.); Sheree Speicher (307 State St. C 11); Robert Walker (312 State St.); Leonard Ziemba (132 State St.); Philip Staib (159 Arlington St.).

**Public Comment:**

Leonard Ziemba asked Council if it was possible to have metal plates placed over the grate on Olive Street so the street could be reopened as soon as possible noting the detour on lower State Street is very dangerous and difficult. Mr. Muncert stated that he would have Mr. Lingenfelter look into borrowing or renting the metal plates as soon as possible.

Robert Connelly asked the council if it was legal for the contractors demolishing the house at 200 State Street to fill in the foundation without removing it first. Solicitor Carbonara stated that it was legal and is done often by many contractors.

Elizabeth Mayer questioned Council on the status of the house on the corner of Diamond Street and Milton Street. The sidewalk and retaining wall are in deplorable condition. Mrs. Layton stated that Mr. Walker, the zoning officer for the borough has been working on getting information about the owners to file a citation noting the house is owned by an out of state LLC, which makes it slightly more difficult.

Philip Staib stated that there is trash on the street and shrubs/bushes along the sidewalks are overgrown on Arlington Street noting he has taken it upon himself to cut them back for the past 3 years and was told the borough workers would pick up the trimmings. Mr. Lingenfelter stated he would get them picked up.

Motion was made by Mr. Pile to nominate Sheree Speicher to fill the council vacancy left by Bill Trevorrow. Motion seconded by Mr. Muncert. Mr. Ewald inquired if a secret ballot could be held instead of a public vote. Solicitor Carbonara stated council could discuss the candidates in executive session.

Motion was made by Mr. Ewald to table the filling of the Council vacancy. Motion seconded by Mr. Beri. Mr. Pile and Mr. Muncert opposed. Motion carried (4-2).

Motion was made by Mr. Morgan to have an Executive session at the end of the meeting to discuss the candidates for the council vacancy. Motion seconded by Mr. Muncert. All in favor, motion carried (6-0).

### **Correspondence**

A letter was received from Bishop McCort High School asking for permission to tie ribbons throughout Southmont for their Turn the Town Teal Campaign for Cancer Awareness Month. A motion was made by Mr. Morgan to approve the request to Turn the Town Teal from Bishop McCort High School. Motion seconded by Mr. Ewald. All in favor, motion carried (6-0).

### **Minutes**

A motion was made by Mr. Pile to approve the June 20, 2022, Council Meeting Minutes. Motion seconded by Mr. Morgan. All in favor, motion carried (6-0).

A motion was made by Mr. Pile to approve the July 1, 2022, Special Council Meeting Minutes. Motion seconded by Mr. Morgan. All in favor, motion carried (6-0).

### **Police Chief's Report**

The Police Chief's report was received. Mr. Muncert asked Officer West if they were receiving complaints about fireworks going off all hours of the day and night. Officer West stated that he will investigate the problem. Mr. Muncert inquired about the license plate readers and if they were ordered. Officer West stated that there was a special of buy one and receive a second one free. The department was able to place the order at that time.

### **Fire Company Report**

The Fire Chief's report was received. Fire Chief Weslager stated he had looked into the problems of parking on State Street and Leila Street and does not believe there is any problem for the Fire Department. Mr. Ewald asked if there are streets and intersections that no parking should be addressed. Chief Weslager said not to his knowledge, but he would investigate the situation and submit his recommendations.

### **Engineer's Report**

Mr. Banks was absent. Mrs. Layton reported the Cheney Run project is ready to proceed. All the agreements have been signed and a pre-construction meeting will be scheduled. The semiannual correction action plan has been submitted.

### **Zoning Officer's Report**

Mr. Walkers report was received. Mr. Muncert stated that Mr. Walker will need to attend the next Council Meeting. There are areas that blighted properties need to be addressed and action needs to be taken regarding the 723 Diamond property with the out of state owner.

### **Street Commissioner's Report**

Mr. Lingenfelter report was received. Mr. Lingenfelter stated that everything is going smoothly. Mr. Muncert suggested Mr. Lingenfelter look into getting metal plates to cover the grate across Olive Street until the Cheney Run Project is started. Mr. Lingenfelter reported that next week the borough will be having the Cambria County work crew supervised by Mr. Hal Duce, helping with projects throughout the borough.

**Solicitor's Report**

Solicitor Carbonara reported that the Greater Johnstown Water Authority agreement will hopefully be passed at their next meeting.

**Borough Manager Report**

Mrs. Layton's report was submitted and accepted. Motion was made by Mr. Morgan to table the removal of 200 State Street from the garbage and sewer maintenance records until all the work is completed. Motion seconded by Mr. Pile. All in favor, motion carried (6-0).

Motion was made by Mr. Morgan to approve the Department of Agriculture to put a spotted lantern fly trap near Chapin Arch. Motion seconded by Mr. Pile. All in favor, motion carried (6-0).

Motion was made by Mr. Morgan to approve Mrs. Layton to apply for Sheetz Fleet Fuel Cards. Motion seconded by Mr. Ewald. All in favor, motion carried (6-0).

Motion was made by Mr. Morgan to table the Johnstown Regional Authority request for 205 Violet Street for the executive session. Motion seconded by Mr. Muncert. All in favor, motion carried (6-0).

**Mayor's Report**

Nothing to report.

**Committees:**

**Administration:** Nothing to report.

**Audit:** Nothing to report. Mr. Pile will have a meeting before the next council meeting and will also speak to the auditors.

**Ballfield Improvement:** Nothing to report.

**Borough Services:** Nothing to report.

**Budget/Tax Collection:** Nothing to report.

**Building & Grounds:** Nothing to report.

**Emergency Management:** Nothing to report.

**GJWA:** Mr. Pile stated GJWA is waiting for a permit from the Department of Environmental Protection for the North Fork Project so they can move forward.

**Grants:** Mr. Beri asked if Council could send a thank you letter to the Cambria County Commissioners for the \$64,000.00 funding, they were able to secure for the borough.

**Insurance:** Nothing to report.

**MS4/Stormwater:** Nothing to report.

**Open Records:** Nothing to report.

**Personnel:** Mrs. Layton reported at this time there was one application for employment.

**Police:** Mr. Morgan stated that this year there will be more children walking to school and the School District is concerned about the school guard crossing that are needed for the new school year. Solicitor Carbonara suggested that this should be discussed in the executive session. Solicitor Carbonara had sent a letter in April and there was a questionable response.

**Shade Trees:** Mr. Muncert lead in discussion on the updated shade tree ordinance. Motion was made by Mr. Ewald to approve the updated Shade Tree Ordinance. Motion seconded by Mr. Burkert. Mr. Pile and Mr. Morgan opposed. Motion carried (4-2).

**Streets:** Mr. Lingenfelter reported Quaker Sales will start paving next week starting with State Street.

#### **New/Old Business**

Mrs. Layton reported a request was received from First National Bank requesting reimbursement in the amount of \$592.36 for a local tax bill that was paid toward 106 Cheney Oak Drive instead of 450 Southmont Blvd. Motion was made by Mr. Morgan to approve the First National Bank request to correct a payment made of \$592.36. Motion seconded by Mr. Muncert. All in favor, motion carried (6-0).

#### **Business Items**

A motion was made by Mr. Pile to approve ratification of payroll from June 21, 2022 through July 18, 2022 in the amount of \$11,085.52. Motion seconded by Mr. Morgan. Roll call: Mr. Muncert, Mr. Beri, Mr. Burkert, Mr. Pile, Mr. Ewald, and Mr. Morgan in favor. Motion carried (6 -0).

A motion was made by Mr. Morgan to approve payment of bills from June 21, 2022 through July 18, 2022 in the amount of \$108,624.23. Motion seconded by Mr. Pile. Roll call: Mr. Muncert, Mr. Beri, Mr. Burkert, Mr. Pile, Mr. Ewald, and Mr. Morgan in favor. Motion carried (6-0).

A motion was made by Mr. Morgan to approve transfers from June 21, 2022 through July 18, 2022 in the amount of \$53,592.00. Motion seconded by Mr. Beri. Roll call: Mr. Muncert, Mr. Beri, Mr. Burkert, Mr. Pile, Mr. Ewald, and Mr. Morgan in favor. Motion carried (6-0).

A motion was made by Mr. Beri to approve the June 2022 treasurer's report in the amount of \$1,641,255.69. Motion seconded by Mr. Morgan. Roll call: Mr. Muncert, Mr. Beri, Mr. Burkert, Mr. Pile, Mr. Ewald, and Mr. Morgan. All in favor. Motion carried (6-0).

A motion was made by Mr. Pile to accept the Tax Collector's Report for June 2022. Motion seconded by Mr. Morgan. All in favor Motion carried (6-0).

An Executive Session was called at 5:49 p.m. to discuss issues regarding the filling of the Council Vacancy. Executive Session ended at 6:00 p.m. and the regularly scheduled meeting was resumed.

**July 18, 2022 Minutes – Page 5 of 5**

A motion was made by Mr. Morgan to nominate Sheree Speicher to fill the council vacancy. Motion seconded by Mr. Pile. Roll call: Mr. Morgan, Mr. Pile and Mr. Muncert in favor. Mr. Beri, Mr. Ewald and Mr. Burkert opposed. Mayor Keiper in favor. Motion carried (4-3).

There being no further business, a motion was made by Mr. Morgan for adjournment of the July 18, 2022 meeting at 5:53 p.m. Motion seconded by Mr. Ewald. All in favor, motion carried (6-0).

Respectfully submitted,

Debra Riek  
Assistant Secretary