

BOROUGH OF SOUTHMONT  
148 WONDER STREET  
JOHNSTOWN, PA 15905

MINUTES FOR DECEMBER 13, 2021

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The pledge of allegiance was conducted, and the scheduled December 13, 2021, meeting was called to order by Councilman Robert Morgan at 4:00 p.m.

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**Present:** Council Members Kevin Pile, Herb Ewald, William Trevorrow, Eric Muncert, Robert Morgan; Solicitor Michael Carbonara; Fire Chief Michael Butler; Street Commissioner Harry Lingenfelter; Asst. Sec. Debra Riek

**Absent:** Council President Sheree Speicher; Council Member Richard Rodgers; Mayor Mark Yonko; Exec. Sec. Amanda Layton, Engineer Todd Banks; Police Chief Edward Fisher

**Visitors:** Douglas Beri (127 Daisy Street); Richard Burkert (309 Palliser Street)

**Correspondence**

A letter was received from Russell Varnecky requesting that his property at 211 Violet Street be turned into a single-family dwelling from a duplex.

A letter was received from Douglas Beri requesting that his property at 127 Daisy Street be turned into a single-family dwelling from a duplex.

Council discussed setting up a procedure for converting duplex housing into single housing. Mr. Trevorrow will draft a list of items that need to be taken care of and inspected by the borough before a property can be approved for conversion and will present it to council at the next meeting for approval. Solicitor Carbonara suggested Todd Banks be contacted to discuss what is needed to convert the sewer lines to a single-family dwelling and also to look into the effects on the garbage contract payments and sewer project loan payments.

**Bid Openings:**

A motion was made by Mr. Pile to review bids received through Municibid for the 2003 Ford F-550. Motion seconded by Mr. Ewald. Mrs. Speicher and Mr. Rodgers absent. All in favor, motion carried (5-0).

A motion was made by Mr. Pile to accept the highest bid for the 2003 Ford F-550 from EHK Services in Liverpool, PA in the amount of \$17,100.00. Motion seconded by Mr. Ewald. Mrs. Speicher and Mr. Rodgers absent. All in favor, motion carried (5-0).

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### **Minutes**

A motion was made by Mr. Pile to approve the November 15, 2021 regular monthly meeting minutes. Motion seconded by Mr. Trevorrow. Mrs. Speicher and Mr. Rodgers absent. All in favor, motion carried (5-0).

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

Chief Fisher absent. The November 2021 Police Chief's Report was received and is on file. Mr. Trevorrow reported he suggested to the Police Commission that their deadline to provide a budget to the member municipalities be extended to November 1<sup>st</sup> instead of October 1<sup>st</sup>.

### **Fire Company Report**

Chief Butler stated there is an ongoing insurance investigation for the house fire at 200 State Street.

Chief Butler reported that their rating for the ISO report was dropped to a number 4 from a 3 this year due to the low water flow and not having a ladder truck. SVFC President James Carbaugh is working with ISO to appeal the decision.

Chief Butler stated this would be his last meeting and that Joel Weslager will be the new Fire Chief starting in January. Council thanked Chief Butler for the great job and service he has given over the years to the fire company and the Borough.

### **Engineer's Report**

Mr. Banks absent. Solicitor Carbonara reported the Mabel Street project was completed and the restoration portion will be completed in the spring.

A motion was made by Mr. Pile to table the approving of the 2022 Engineering Services Agreement until the next meeting. Motion was seconded by Mr. Ewald. Mrs. Speicher and Mr. Rodgers were absent. All in favor, motion carried (5-0).

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

Council discussed various code enforcement issues throughout the borough noting a discussion with Mr. Walker will need to take place at the next monthly council meeting he attends regarding keeping up with code enforcement in the borough and keeping council up to date on the status of each violation. It was noted a notice was sent to the owner of 888 Franklin Street regarding garbage and unregistered vehicles on the property. A hearing with the District Magistrate has been set for January 3, 2022 regarding failure to comply with a notice to repair or remove a deteriorating porch at 27 Harding Street.

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

Mr. Lingenfelter report was received and accepted. Mr. Lingenfelter stated that the public works department is still collecting leaves, weather permitting, and will start asking residents to bag the leaves at the end of the week so the leaf machine can be put away for the season.

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### **Solicitor's Report**

Solicitor Carbonara stated approval of the First Amendment to the Consent Order and Agreement and the resolution authorizing execution of the First Amendment to the Consent Order and Agreement should be tabled because the borough has not received approval of the language changes it requested. Solicitor Carbonara also suggested tabling discussion of the Cheney Run Headwall Project since the two easements have not been signed and returned.

Solicitor Carbonara informed council the borough will be receiving a funding allocation request from the Cambria County Tax Collection Committee noting they have not made any requests for about 3 or 4 years. Solicitor Carbonara believes the request will be under \$1,000.00.

### **Executive Secretary Report**

Mrs. Layton was absent. The Executive Secretary's Report was received and is on file.

A motion was made by Mr. Ewald to approve the new Council and Mayor attendance to the PSAB Newly Elected Officials Boot Camp. Motion seconded by Mr. Pile. Mrs. Speicher and Mr. Rodgers absent. All in favor, motion carried (5-0).

A motion was made by Mr. Ewald to approve removal a total of \$234.77 for past due garbage and sewer maintenance penalties on two accounts that erroneously had penalties added. Motion seconded by Mr. Trevorrow. Mrs. Speicher and Mr. Rodgers absent. All in favor, motion carried (5-0).

### **Mayor's Report**

Mr. Yonko was absent. Nothing to report.

### **Committees:**

**Streets:** Nothing to report.

**Administration:** Mrs. Speicher absent. Nothing to report.

**Personnel:** Nothing to report.

**Police:** Nothing to report.

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

**Shade Trees:** Nothing to report.

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

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**GJWA:** A motion was made by Mr. Pile to accept the resignation of Sheree Speicher from the Greater Johnstown Water Authority Board. Motion seconded by Mr. Ewald. Mrs. Speicher and Mr. Rodgers absent. All in favor, motion carried (5-0).

A motion was made by Mr. Muncert to appoint Mr. Trevorrow to the Greater Johnstown Water Authority Board as the new board member. Motion seconded by Mr. Ewald. Mrs. Speicher and Mr. Rodgers absent. All in favor, motion carried (5-0).

**Open Records:** Nothing to report.

**Borough Services:** Nothing to report.

**Audit:** Nothing to report.

### **Insurance:**

Mr. Muncert reported the Insurance Committee has been reviewing the liability and health insurances noting FWF Insurance came back with a liability insurance proposal for Selective Insurance. Mr. Muncert stated the borough currently has PIRMA for liability insurance noting with the adjustments the committee made Selective Insurance could save the borough approximately \$7,000.00 per year.

A motion was made by Mr. Ewald to move the insurance from Pennsylvania Integrated Risk Management Association to Selective Insurance as proposed by FWF Insurance. Motion seconded by Mr. Trevorrow. Mrs. Speicher and Mr. Rodgers absent. All in favor, motion carried (5-0).

Mr. Muncert reported the committee decided to keep the current health insurance plan for employees and will review it again before the next renewal date.

**Blighted Properties:** Nothing to report.

**Ballfield Improvement:** Nothing to report.

### **Business Items:**

A motion was made by Mr. Pile to approve the Resolution 2021–12, Fixing Tax Rate for 2022. Motion was seconded by Mr. Muncert. Mrs. Speicher and Mr. Rodgers absent. All in favor, motion carried (5-0).

A motion was made by Mr. Pile to approve the Resolution 2021-13, Fixing Local Tax Rate for 2022. Motion was seconded by Mr. Muncert. Mrs. Speicher and Mr. Rodgers absent. All in favor, motion carried (5-0).

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A motion was made by Mr. Pile to approve Ordinance No. 536, Fixing Rate of Compensation for Council and Mayor. Motion seconded by Mr. Muncert. Mrs. Speicher and Mr. Rodgers absent. All in favor, motion carried (5-0).

A motion was made by Mr. Pile to approve the 2022 Final Budget. Motion was seconded by Mr. Trevorrow. Mrs. Speicher and Mr. Rodgers absent. All in favor, motion carried (5-0).

A motion was made by Mr. Pile to approve advertising the 2022 Final Budget. Motion was seconded by Mr. Muncert. Mrs. Speicher and Mr. Rodgers absent. All in favor, motion carried (5-0).

A motion was made by Mr. Pile to approve the new 2022 Meeting Schedule. Motion seconded by Mr. Muncert. Mrs. Speicher and Mr. Rodger absent. All in favor, motion carried (5-0).

A motion was made by Mr. Pile to approve the advertising of the 2022 Meeting Schedule. Motion was seconded by Mr. Muncert. Mrs. Speicher and Mr. Rodgers absent. All in favor, motion carried (5-0).

A motion was made by Mr. Pile to approve the advertising of the 2022 Garbage Fee Ordinance. Motion was seconded by Mr. Trevorrow. Mrs. Speicher and Mr. Rodgers absent. All in favor, motion carried (5-0).

A motion was made by Mr. Trevorrow to approve the payment of a scissor lift rental from the Centennial Fund to Laurel Highlands Construction Supplies to remove the Centennial Banners and apply the remaining balance in the Centennial Fund toward a new municipal building sign from Cooper Signs. Motion seconded by Mr. Pile. Mrs. Speicher and Mr. Rodgers absent. All in favor, motion carried (5-0).

A motion was made to approve the closing of the Centennial Account with Somerset Trust Company after payment of invoices for Laurel Highlands Construction Supplies and Cooper Signs. Motion was seconded by Mr. Muncert. Mrs. Speicher and Mr. Rodgers absent. All in favor, motion carried (5-0).

### **Business Items**

A motion was made by Mr. Pile to approve ratification of payroll from November 16, 2021 through December 13, 2021 in the amount of \$12,689.91. Motion seconded by Mr. Muncert. Roll call: Mr. Muncert, Mr. Pile, Mr. Morgan, Mr. Trevorrow, Mr. Ewald, in favor. Mrs. Speicher and Mr. Rodgers absent. Motion carried (5-0).

A motion was made By Mr. Pile to approve payment of bills from November 16, 2021 through December 13, 2021 in the amount of \$134,510.16. Motion seconded by Mr. Trevorrow. Roll call: Mr. Muncert, Mr. Pile, Mr. Morgan, Mr. Trevorrow, Mr. Ewald, in favor. Mrs. Speicher and Mr. Rodgers absent. Motion carried (5-0).

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A motion was made by Mr. Pile to approve transfers from November 16, 2021 through December 13, 2021 in the amount of \$55,841.00. Motion seconded by Mr. Trevorrow. Roll call: Mr. Muncert, Mr. Pile, Mr. Morgan, Mr. Trevorrow, Mr. Ewald, in favor. Mrs. Speicher and Mr. Rodgers absent. Motion carried (5-0).

A motion was made by Mr. Pile to approve the November 2021 treasurer's report in the amount of \$1,544,881.49. Motion seconded by Mr. Trevorrow. Roll call: Mr. Muncert, Mr. Pile, Mr. Morgan, Mr. Trevorrow, Mr. Ewald, in favor. Mrs. Speicher and Mr. Rodgers absent. Motion carried (5-0).

A motion was made by Mr. Pile to note the receipt of the November 2021 tax collector's report in the amount of \$1,679.83. Motion seconded by Mr. Trevorrow. Mrs. Speicher and Mr. Rodgers absent. All in favor, motion carried (5-0).

Solicitor Carbonara called for an executive session at 4:45 p.m. to discuss legal matters pertaining to the Cheney Run Headwall project. Executive Session ended at 4:55 p.m. and council resumed its scheduled meeting.

The Council recognized Mr. Morgan for doing a commendable job as a dedicated and hardworking Councilman. His time and commitment to the borough is greatly appreciated.

There being no further business, a motion was made by Mr. Trevorrow for adjournment of the December 13, 2021 meeting at 5:00 p.m. Motion seconded by Mr. Pile. Mrs. Speicher and Mr. Rodgers absent. All in favor, motion carried (5-0).

Respectfully submitted,

Debra Riek  
Assistant Secretary