

BOROUGH OF SOUTHMONT
148 WONDER STREET
JOHNSTOWN, PA 15905

MINUTES FOR AUGUST 11, 2020

The scheduled August 11, 2020 teleconference special council meeting was called to order by President Speicher at 4:00 p.m.

Present: Council President Sheree Speicher; Council Members Richard Rodgers, Robert Morgan, Kevin Pile, Edward Danyluk, William Trevorrow, and Herb Ewald (4:14 p.m.); Exec. Sec. Amanda Layton; Street Commissioner Harry Lingenfelter, Zoning/Codes Officer Mark Walker

Absent: Mayor Mark Yonko; Solicitor Michael Carbonara

Mrs. Speicher informed Mr. Walker the reason for the meeting was to discuss areas of the zoning and codes enforcement procedure that may be lacking. Mr. Walker stated he understands the property maintenance violation responses have been lacking noting this time of year is generally a high volume time for zoning and codes requests and the Assistant Codes Officer that he has relied on to help with the majority of codes violations for the past ten years has not answered his calls for over a month and he has no idea what has happened to him. Mrs. Speicher inquired whether Mr. Walker thought the borough office should take over the property maintenance violations. Mr. Walker stated he understands he needs to get on top of the property maintenance violations and requested two weeks to get caught up.

Mr. Walker updated council on three vacant properties at 407, 409, and 411 Southmont Blvd. noting an operator's number and date of birth are required to file against the owners for property maintenance violations or it will not be processed. Mr. Walker stated Chief Lose was unable to locate either owner listed on the deed but found one person by the same name a one of the owners located at a different address. Mr. Walker will need to verify whether it is the same person before he can file charges.

Mr. Walker stated the website for the state wasn't working, but as soon as he can access it he will get the required owner information for 60 Shady Lane and will file charges for failure to respond to his notice regarding overgrown shrubs.

Mr. Walker also updated council on the status of property maintenance and non-conforming use violations at 424 Southmont Blvd. Attorney Robert Shahade proved Mr. Walker with a letter from 1985 addressed to Grimaldi's Garage stating "The borough agrees that when a request is received from Grimaldi's for a zoning variance on the vacant lots next to the gas station that the Zoning Officer and Zoning Hearing Board will consider said request and that the borough will not oppose the request." Mrs. Speicher stated she doesn't

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believe Grimaldi's filed for a zoning variance. Mr. Walker will move forward with the property maintenance violations such as high grass, junk vehicles, and tires and he will check with Solicitor Carbonara regarding the excavation business.

Mr. Walker stated he thought the issue between 312 State Street and 308 State Street was resolved noting 312 State Street extended his drainage pipe to eliminate the water from running onto 308 State Street, but the compost pile at 308 State Street is still laying between the property line and his garage and not in a container as it is supposed to be. Mr. Walker stated he will speak with 308 State Street to resolve the issue.

Council discussed whether Mr. Walker was okay with the borough office sending initial notices for property maintenance violations on Walker Consulting Services letterhead and if the issue is not taken care of in the appropriate time frame the violation will be handed over to Mr. Walker to send certified notices and proceed with filing charges for non-compliance. Mr. Walker will add a paragraph to his notices that state the borough has the right to mitigate the issue if no action is taken and a lien will be filed against the property for associated costs. A motion was made by Mr. Pile to approve the borough office sending initial property maintenance violation notices on Walker Consulting Services letterhead and if the issue is not resolved in the given time frame, they will be handed over to Walker Consulting Services to send certified notices and proceed with filing charges as necessary and to add a paragraph to the notices that state the borough has the right to mitigate the issue if no action is taken and a lien will be filed against the property for associated costs. Motion seconded by Mr. Rodgers. All in favor, motion carried (7-0).

Mr. Pile noted Court Alley has overgrown shrubs that need to be addressed, including his own.

Mr. Walker stated he spoke with St. George's Lab at 1015 Menoher Blvd. and he is monitoring renovations that were proposed noting he hasn't heard anything for over a month and nothing has been done yet.

Mr. Walker stated he received an application for a garage and shed at 509 State Street noting he had to deny the request since the house has not been built yet, therefore he cannot issue a permit for an accessory structure. Mr. Walker did check with the borough office and it was agreed that cement pads can be poured for future construction of the garage and shed noting the borough will monitor to make sure there is no other construction until permits are approved.

Mrs. Speicher stated council was discussing updating the soccer field such as installing a pavilion, walking track, etc. and inquired if it would be allowable since it is designated as a green space. Mr. Walker stated the borough would need to appeal through the Zoning Hearing Board and council would need to look into parking regulations.

Mr. Ewald inquired whether 104 Dahlia Street was on Mr. Walkers list of property maintenance violations. Mr. Walker stated it is on the most recent high grass list and he will send a new notice for the grass and

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uninspected vehicles on the property.

Mrs. Speicher informed council she was creating two new committees, Blighted Property Committee and Ballfield Improvement Committee. Mrs. Speicher appointed the following: Blighted Property Committee – Bill Trevorrow, Chairperson, Kevin Pile and Herb Ewald; Ballfield Improvement Committee – Bob Morgan, Chairperson, Bill Trevorrow and Kevin Pile.

Mrs. Speicher called for an Executive Session to discuss personnel issues at 5:16 p.m. Executive Session ended at 5:23 p.m. and the meeting was resumed.

A motion was made by Mr. Pile to retain Attorney Robert Brierton to negotiate the union contract, which expires December 31, 2020. Motion seconded by Mr. Morgan. All in favor, motion carried (7-0).

Mr. Morgan informed council that Officer Matt Watts was injured the previous evening when someone rear ended his police cruiser noting he has cracked vertebrae in his neck and is recovering.

A motion was made by Mr. Pile to adjourn the August 11, 2020 special meeting at 5:24 p.m. Motion seconded by Mr. Ewald. All in favor, motion carried (7-0).

Respectfully Submitted,

Amanda Layton
Executive Secretary

