

BOROUGH OF SOUTHMONT
148 WONDER STREET
JOHNSTOWN, PA 15905

MINUTES FOR NOVEMBER 20, 2023

The pledge of allegiance was conducted, and the scheduled November 20, 2023 Council meeting was called to order by President Doug Beri at 4:00 p.m.

Present: Council Members Doug Beri, Richard Burkert, Kevin Pile, Sheree Speicher, Herb Ewald; Bob Morgan, Eugene Kupchella; Borough Manager Amanda Layton; Police Chief Ed Fisher; Solicitor Michael Carbonara; Mayor Anthony Keiper; Street Commissioner Sam McAdams; Engineer Todd Banks; Asst. Sec Debra Riek

Absent: Fire Chief Edward Burkett

Visitors: Robert Walker (312 State St.); John A. Klanchar (104 Dahlia St.), Lary Koval (336 Orchard St.); Sean & Amon Kelly (1 Harding St.), Rose & Robert Barger (311 Leila St.), Russ O'Reilly (Tribune Democrat)

Public Comment:

Lary Koval stated that the borough has not painted a stop bar and not all drivers are stopping at the new stop sign installed at the top of Orchard Street, which has almost caused a few accidents. Mr. Koval stated that council should add more indicators of the new stop sign such as flashing lights and he believes the borough would be held responsible if there is an accident because of someone not stopping. Mr. Beri informed Mr. Koval that the borough performed due diligence by installing the stop sign and the stop bars are scheduled to be painted when weather permits this spring and the borough would not be held responsible for someone causing an accident by disobeying traffic signs.

John Klanchar addressed council regarding his freedom of speech rights, his belief that a billing error caused his past due garbage and sewer maintenance balance, and his desire to have council reverse the order passed by Judge Creany prohibiting him from parking in the paper alley next to his home.

Sean Kelly requested a no parking sign near the top of the Harding Street steps be moved four feet forward, which would help the borough workers and larger vehicles to make the turn off of Logan Street. Mr. Kelly also requested a "Slow Children" sign to be installed in that area since there are several children living along that section.

Rose and Robert Barger stated their concerns with the leaf machine being down for repairs and with dying pine trees located between the properties behind their home. Mrs. Layton stated a letter was sent to the property owner to inform them the trees could be potentially hazardous and suggesting they have the trees looked at.

Correspondence Received

A letter was received from Lawrence O'Reilly regarding the excess flow at his property at 511 Edward Street. Mr. Beri stated the borough engineer and the water authority are looking at the issue.

Minutes

A motion was made by Mr. Pile to approve the October 16, 2023, council meeting minutes. Motion seconded by Mr. Morgan. All in favor, motion carried (7-0).

Police Chief's Report

The October 2023 Police Chief's Report was received. Chief Fisher stated that 508 calls were received in the month of October. Chief Fisher stated the police participated in Trick or Treat night noting they passed out about 700 bags of candy in the borough trick or treat night and all went well. Chief Fisher also reported the annual Attorney Generals Office Drug Take Back Day went well noting they disposed of 80 pounds of drugs and medications. Chief Fisher informed council the department will be participating in the Cambria County Christmas Shop with a Cop program and Toys for Tots this year.

Fire Company Report

Chief Burkett absent. The October 2023 Fire Chief's Report was received.

Engineer's Report

Mr. Banks stated that the inspection of the stormwater and sewer lateral lines at 511 Edward Street was completed and no issues were noted.

Zoning Officer's Report

The October 2023 Zoning Officer's Report was received. Mrs. Layton reported two building permits were approved and property maintenance complaints that were submitted to Laurel Municipal Inspection Agency have been inspected and notices were being sent out as of November 17th.

Solicitor's Report

Solicitor Carbonara requested an executive session at the end of the meeting for legal matters.

Street Commissioner's Report

The October 2023 Street Commissioner's Report was received and is on file. Mr. McAdams reported that BobCat is ordering parts for the leaf machine and are trying to expedite the shipping to get it repaired as soon as possible. Council suggested Mr. McAdams contact other surrounding municipalities to inquire if they would be willing to lease us their machine. A motion was made by Mr. Pile to allow Mr. McAdams to lease a machine if possible and to allow overtime for leaf collection. Motion seconded by Mr. Ewald. All in favor, motion carried (7-0). A motion was made by Mr. Morgan to approve scrapping the old camo truck salt spreader. Motion seconded by Mrs. Speicher. All in favor, motion carried (7-0).

Borough Manager Report

Mrs. Speicher requested that the no parking area approved in the recent ordinance near the intersection of Olive Street and Southmont Blvd. be marked as soon as possible to avoid accidents in the winter.

Mayor's Report

Mayor Keiper reported that he spoke with Sean Kelly and suggested that he and his family attend the meeting to address borough council regarding his concerns.

Committees:

Administration: Mr. Beri stated there was a committee meeting to discuss amendments to the current tobacco ordinance to include vaping, review request for proposals to be advertised for borough solicitor services, and to discuss a reimbursement program the Southmont Volunteer Fire Company developed to help with retention and recruitment.

Audit: Nothing to report.

Budget/Tax Collection: Mrs. Speicher reported the tentative budget includes a .25 mill increase to help pay for the fire company reimbursement and retention program.

Community Planning & Improvement: Mr. Burkert stated there will be a committee of the whole meeting with Mr. Chris Allison, Director of the County Planning Commission on November 28, 2023 noting this will help with comprehensive planning for the borough.

Emergency Management: Nothing to report.

GJWA: Mr. Pile reported the RDM contract has been extended to 2034 and engineering work is being done for the North Fork Dam. Mrs. Speicher stated the Greater Johnstown Water Authority will be removing water and/or sewer lined to homes that are behind on their bill for 24 months.

Grants: Mr. Beri reported the borough was approved for the WalkWorks grant, which will help the borough develop an Active Transportation Plan noting that part of the grant is through the Department of Conservation and Natural Resources and requires a resolution for signatures. A motion was made by Mrs. Speicher to approve Resolution No. 2023-08, authorizing signatures for the DCNR portion of the WalkWorks grant. Motion seconded by Mr. Pile. All in favor, motion carried (7-0).

Insurance: Nothing to report.

MS4/Stormwater: Mrs. Speicher stated a luncheon was held with several municipalities to discuss applying for a grant together to perform an impervious surface study, noting the borough's portion of the cost would be approximately \$1,900.00.

Personnel: Nothing to report.

Police: Nothing to report.

Property Maintenance and Streets: Mr. Ewald discussed details about the leaf machine repair and the problems that could occur.

Shade Trees: Mr. Burkert reported the tree work approved to be done by Tree Expert is still in progress.

New Business

A motion was made by Mr. Pile to approve the 2024 tentative budget with a .25 mill increase in fire tax. Motion seconded by Mr. Ewald. All in favor, motion carried (7-0).

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A motion was made by Mr. Pile to approve advertising the 2024 tentative budget. Motion seconded by Mr. Ewald. All in favor, motion carried (7-0).

A motion was made by Mr. Pile to approve advertising Ordinance No. 547, setting the garbage fee for 2024. Motion seconded by Mrs. Speicher. All in favor, motion carried (7-0).

A motion was made by Mr. Pile to approve advertising Ordinance No. 548, setting the tax rate for 2024 including a .25 mill increase to the fire tax. Motion seconded by Mrs. Speicher. All in favor, motion carried (7-0).

A motion was made by Mrs. Speicher to approve advertising Ordinance No. 549, prohibiting tobacco use in recreational areas and municipal owned property. Motion seconded by Mr. Pile. All in favor, motion carried (7-0).

A motion was made by Mr. Ewald to approve the Small Wireless Facilities Act Application submitted by Everstream for work along Luzerne Street and Menoher Blvd. Motion seconded by Mr. Morgan. All in favor, motion carried (7-0).

A motion was made by Mr. Pile to approve advertising the Request for Proposals for Borough Solicitor Services. Motion seconded by Mr. Morgan. All in favor, motion carried (7-0).

Business Items

A motion was made by Mr. Pile to approve ratification of payroll from October 17, 2023, through November 20, 2023, in the amount of \$19,155.07. Motion seconded by Mr. Morgan. Roll call: Mr. Beri, Mr. Burkert, Mr. Pile, Mrs. Speicher, Mr. Morgan, Mr. Ewald, and Mr. Kupchella. All in favor. Motion carried (7 -0).

A motion was made by Mr. Pile to approve payment of bills October 17, 2023, through November 20, 2023, in the amount of \$113,047.16. Motion seconded by Mr. Morgan. Roll call: Mr. Beri, Mr. Burkert, Mr. Pile, Mrs. Speicher, Mr. Morgan, Mr. Ewald, and Mr. Kupchella. All in favor. Motion carried (7 -0).

A motion was made by Mr. Burkett to approve transfers from October 17, 2023, through November 20, 2023, in the amount of \$64,795.00. Motion seconded by Mr. Morgan. Roll call: Mr. Beri, Mr. Burkert, Mr. Pile, Mrs. Speicher, Mr. Morgan, Mr. Ewald, and Mr. Kupchella. All in favor. Motion carried (7 -0).

A motion was made by Mr. Pile to approve the October 2023 Treasurer's Report. Motion seconded by Mrs. Speicher. Roll call: Mr. Beri, Mr. Burkert, Mr. Pile, Mrs. Speicher, Mr. Morgan, Mr. Ewald, Mr. Kupchella. All in favor. Motion carried (7 -0).

A motion was made by Mr. Pile to accept the Tax Collector's Report for October 2023. Motion seconded by Mrs. Speicher. All in favor. motion carried (7-0).

A motion was made by Mr. Morgan to enter an Executive Session for legal and personnel issues at 4:56 p.m. Motion seconded by Mr. Pile. All in favor, motion carried (7-0). Executive Session ended at 5:25 p.m. and council resumed its regularly scheduled meeting.

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A motion was made by Mrs. Speicher to allow Solicitor Carbonara to respond to Westmont Hilltop School District declining their request to pay 50% for a crossing guard. Motion seconded by Mr. Morgan. All in favor, motion carried (7-0).

There being no further business, a motion was made by Mr. Pile for adjournment of the November 20, 2023 meeting at 5:26 p.m. Motion seconded by Mr. Morgan. All in favor, motion carried (7-0).

Respectfully submitted,

Debra Riek
Assistant Secretary