

BOROUGH OF SOUTHMONT
148 WONDER STREET
JOHNSTOWN, PA 15905

MINUTES FOR NOVEMBER 21, 2022

The pledge of allegiance was conducted, and the scheduled November 21, 2022 Council meeting was called to order by President Eric Muncert at 4:00 p.m.

Present: Council Members Eric Muncert, Doug Beri, Richard Burkert, Herb Ewald, Bob Morgan, Kevin Pile, Sheree Speicher, Borough Manager Amanda Layton; Police Chief Ed Fisher; Police Officer Dean West; Fire Company Assistant Chief Jim Carbaugh; Solicitor Michael Carbonara; Engineer Todd Banks; Mayor Anthony Keiper; Street Commissioner Harry Lingenfelter, Asst. Sec. Debra Riek.

Visitors: Robert Walker (312 State St.); John A. Klanchar (104 Dahlia St.) Carol Hickman (103 Dahlia St.) Mike Bellvia (Pro Disposal), Russ O'Reilly (Tribune Democrat)

Correspondence:

The council received a thank you letter from Westmont Hilltop High School Soccer Boosters for their approval of the parade request.

Bids: A motion was made by Mrs. Speicher to approve opening the 2023-2025 Garbage Bid received from Pro Disposal. Motion seconded by Mr. Pile. All in favor, motion carried (7-0). The bids were as follows:

Pro Disposal	2023 - \$170,025.84
	2024 - \$179,107.68
	2025 - \$190,258.80

A motion was made by Mr. Pile to accept the Garbage bid from Pro Disposal for the three-year contract from 2023 through 2025. Motion seconded by Mr. Morgan. All in favor, motion carried (7-0).

Correspondence

Mr. Klanchar also addressed an email he sent to the borough office regarding an uninspected vehicle on Southmont Blvd. that he believed to belong to Herb Ewald noting he believes everyone should be treated equality in the borough.

Minutes

A motion was made by Mr. Morgan to approve the October 17, 2022 Council Meeting Minutes. Motion seconded by Mr. Burkert. All in favor, motion carried (7-0).

Police Chief's Report

The October 2022 Police Chief's report was received. Chief Fisher stated that the department would be participating in the Toys for Tots Drive this year noting toys can be dropped off at the Police Department Office. The department will also be participating in the Shop with a Cop Program this year. The cost to sponsor a child is \$150 per child if anyone is interested, please contact his office.

Fire Company Report

The October Fire Chief's Report was received. Mr. Carbaugh stated that the cost of the annual audit is costly and they would like to look into making organization changes. The Fire Company would like permission to have audits done every three years as a possibility with Fire Company Trustees reviewing the books annually. Solicitor Carbonara stated that there are less expensive audits and maybe they can get quotes for the coming year. A motion was made by Mr. Pile to table the Fire Department audit request to obtain further information. Motion seconded by Mr. Morgan. All in favor, motion carried (7-0).

Engineer's Report

Mr. Banks reported the Olive Street grate and culvert portions of the Cheney Run Replacement Project are completed noting the head wall will be started very shortly. A motion was made by Mr. Muncert to approve pay estimate No. 1 – Mar-Allen Concrete Company in the amount of \$90,575.10. Motion seconded by Mr. Morgan. All in favor, motion carried (7-0).

Mr. Banks reported 60% of the list of 25 uncompleted laterals have been looked at with a camera noting they found all modern PVC pipes so far and not clay pipes and most have viewports. The remainder are to be tested by the end of the week.

Mr. Banks contacted Kukurin Contracting, the construction company that completed the work at 216 Leila Street noting they are too busy, but they recommended a contractor that could make the repair to the offset connection for approximately \$1,400.00. The cost will be the responsibility of the borough because the one-year maintenance bond lapsed 3 years ago. A motion was made by Mr. Pile to make the necessary corrections of the sewer lateral problem at the 216 Leila Street residence. Motion seconded by Mr. Morgan. All in favor, motion carried (7-0).

Zoning Officer's Report

The October 2022 Zoning Officer's Report was received. Mr. Muncert stated that he wanted to review the contract Mr. Walker has with the borough. Mr. Muncert believes the borough should not be paying for the seminar Mr. Walker attended for \$140.00. A motion was made by Mr. Muncert to pay Mr. Walker minus the \$140.00. Motion seconded by Morgan. All in favor, motion carried (7-0).

Street Commissioner's Report

The Street Commissioner's report was received. Mr. Lingenfelter reported the leaf machine is fixed, the liner has been installed and everything is working well. Mr. Muncert commended Mr. Lingenfelter for doing a good job with the leaves and the snowstorm that swept through the borough recently.

Solicitor's Report

Solicitor Carbonara stated that the signed agreement with Greater Johnstown Water Authority was received.

Solicitor Carbonara reported 25 excess flow enforcement hearings were held between October 25, 2022 and November 1, 2022 noting eight did not show to their hearings and three of the residents have completed the under-slab sewer work since the hearings were held. Solicitor Carbonara is working on completing the finding of facts and conclusions for Mr. Muncert to sign and the borough office will send them to the property owners the borough found were in violation. Solicitor Carbonara stated the hearings have worked well to get the attention of the residents to have the necessary sewer lateral replacement work completed.

A motion was made by Mrs. Speicher to approve Ordinance No. 539, directing the Southmont Borough Tax Collector and Cambria County Tax Claim Bureau to waive all additional charges and penalties for late payments for taxpayers who meet and comply with Act 57 of 2022. Motion seconded by Mr. Morgan. All in favor, motion carried (7-0).

Borough Manager Report

The Borough Manager's report was received. Mrs. Layton reported that 2 properties on the excess flow violation list have been completed since their recent enforcement hearings.

Mayor's Report

Nothing to report.

Committees:

Administration: Mr. Pile reported the administration committee has compiled a draft burning ordinance for council to review noting the main purpose is to prevent large amounts of smoke from going onto neighboring properties and keeping ambers from going into nearby trees and homes which could cause fires, and possibly to obtain more funding for the fire company with the permit fees. Solicitor Carbonara will review the draft ordinance and give an opinion.

Audit: Nothing to report.

Budget/Tax Collection: Mrs. Speicher reported the 2023 tentative budget is completed and includes a 1 mill increase.

A motion was made by Mr. Muncert to accept the 2023 Tentative Budget. Motion seconded by Mr. Pile. Mr. Beri opposed. Motion carried (6-1).

A motion was made by Mr. Muncert to advertise the 2023 tentative budget. Motion seconded by Mr. Pile. Mr. Beri opposed. Motion carried (6-1).

A motion was made by Mr. Muncert to advertise a 2023 Tax Millage Ordinance. Motion seconded by Mr. Pile. Mr. Beri opposed. Motion carried. (6-1).

Community Planning & Improvement:

Mr. Burkert stated a meeting is needed to organize and make decisions for the long-term planning for the borough. After some discussion, Mr. Muncert suggested he and Mr. Burkert meet in December to discuss the organizing of the committee and plan a meeting date.

Emergency Management: Nothing to report.

GJWA: Mr. Pile reported the water authority is working on securing the permits needed to proceed with the North Fork Dam repairs and remodeling.

Grants: Mr. Beri reported there is a large water network that's being formed for the Pennsylvania portion of the Ohio River Basin noting it is made up of different industry professionals and organizations working to regionally work on water resource issues from wastewater to storm water to other environmental issues. Mr. Beri stated there is an application open for technical assistance for storm water issues for up to 250

hours at no cost to the borough noting it would be a good idea to have stormwater experts involved to discuss future requirements and planning. A motion was made by Mr. Pile to approve the Water Now Project Acceleration Application. Motion seconded by Mr. Ewald. All in favor, motion carried (7-0).

Insurance: Mr. Keiper reported that there is a 3.5% increase in employee insurance that was included in the budget. Mr. Muncert thanked him for the work he did looking into the borough insurance plans. A motion was made by Mr. Burkert to approve renewing the employee UPMC Health Plan for 2023. Motion seconded by Mr. Pile. All in favor, motion carried (7-0).

MS4/Stormwater:

Mrs. Speicher reported a luncheon was held with the several local municipalities to discuss long term planning as a regional group to prepare for a possibility of future stormwater mandates. Mrs. Speicher requested a representative from Stiffler McGraw be present at a MS4/Stormwater Committee meeting scheduled for Tuesday, November 29th at 3:00 p.m. to review MS4/Stormwater and the borough's progress.

Personnel: Nothing to report.

Police: Nothing to report.

Property Maintenance and Streets:

Mr. Ewald reported things are looking better in the borough, but the recent leaf machine repairs and early snow put public works behind. Mr. Ewald stated Mr. Lingenfelter needs to make sure all equipment is ready to go before each season starts.

Shade Trees: Mr. Burkert contacted the Penn State Extension representative to tour the borough on Tuesday November 29, 2022 to investigate the condition of trees that may need some form of action to be taken in the near future. Mr. Burkert would like to have Mr. Morgan, Mr. Ewald, and Mrs. Layton available for the tour. Mr. Burkert also asked to receive a copy of the list of trees that have been reported as problems.

New Business

Mrs. Layton reported the remainder of the PLGIT general account was used to help pay for leaf machine repairs and requested the account now be closed. A motion was made by Mr. Pile to approve the closing of the PLGIT account. Motion seconded by Mr. Ewald. All in favor, motion carried (7-0).

Business Items

A motion was made by Mr. Morgan to approve ratification of payroll from October 18, 2022 through November 21, 2022 in the amount of \$19,097.33. Motion seconded by Mr. Ewald. Roll call: Mr. Muncert, Mr. Beri, Mr. Burkert, Mr. Pile, Mr. Ewald, Mrs. Speicher, and Mr. Morgan All in favor. Motion carried (7 -0).

A motion was made by Mr. Pile to approve payment of bills from October 18, 2022 through November 21, 2022, in the amount of \$230,483.68. Motion seconded by Mr. Pile. Roll call: Mr. Muncert, Mr. Beri, Mr. Burkert, Mr. Pile, Mrs. Speicher, Mr. Ewald, and Mr. Morgan All in favor, motion carried (7-0).

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A motion was made by Mrs. Speicher to approve transfers from October 18, 2022 through November 21, 2022 in the amount of \$70,011.00. Motion seconded by Mr. Pile. Roll call: Mr. Muncert, Mr. Beri, Mr. Burkert, Mr. Pile, Mr. Ewald, Mrs. Speicher, and Mr. Morgan All in favor, motion carried (7-0).

A motion was made by Mr. Morgan to approve the October 2022 treasurer's report in the amount of \$1,597,607.41. Motion seconded by Mr. Pile. Roll call: Mr. Muncert, Mr. Beri, Mr. Burkert, Mr. Pile, Mr. Ewald, Mr. Morgan, and Mrs. Speicher. All in favor, motion carried (7-0).

A motion was made by Mr. Morgan to accept the Tax Collector's Report for October 2022 in the amount of \$1,322.64. Motion seconded by Mr. Pile. All in favor. motion carried (7-0).

Public Comment:

Mr. Robert Walker reported there are some low branches on State Street that need trimmed because the limbs seem to be scrapping on the roof of the leaf machine. There seem to be times the Fire Department also has problems with low hanging limbs. Mr. Muncert stated that he would have Mr. Lingenfelter look into the situation.

Mrs. Hickman stated there are vehicles in front of her home belonging to Mr. Klanchar that are not inspected and should be moved off the street. Mrs. Hickman is frustrated and has spoken to both the West Hills Police and the borough office noting she would not be able to sell her home right now if she wanted to and is concerned with the vehicles inhibiting leaf collection and snow plowing. Mr. Muncert stated that the borough is aware of the problem and is looking into a solution.

A motion was made by Mr. Morgan to enter into an Executive Session at 5:16 p.m. to discuss legal matters. Motion seconded by Mr. Beri. All in favor, motion carried (7-0). Executive Session ended at 5:48 p.m. and council resumed its regularly scheduled meeting.

There being no further business, a motion was made by Mrs. Speicher for adjournment of the November 21, 2022 meeting at 5:49 p.m. Motion seconded by Mr. Beri. All in favor, motion carried (7-0).

Respectfully submitted,

Debra Riek
Assistant Secretary