

BOROUGH OF SOUTHMONT
148 WONDER STREET
JOHNSTOWN, PA 15905

MINUTES FOR JUNE 21, 2021

The pledge of allegiance was conducted, and the scheduled June 21, 2021, council meeting was called to order by President Speicher at 4:00 p.m.

Present: Mayor Mark Yonko; Council President Sheree Speicher; Council Members Richard Rodgers, Eric Muncert, Herb Ewald, Robert Morgan, and William Trevorrow; Solicitor Michael Carbonara; Exec. Sec. Amanda Layton; Street Commissioner Harry Lingenfelter; Police Chief Edward Fisher; Fire Chief Michael Butler; Engineer Todd Banks

Absent: Council Member Kevin Pile

Visitors: Jeff Freiwald (42 Shady Lane), Jim Pfeil (46 Shady Lane), John Pullin (50 Shady Lane), Phil Saylor (411 Orchard Street), David Kissel (117 Palliser Street)

Minutes

A motion was made by Mr. Rodgers to approve the May 17, 2021 council meeting minutes. Motion seconded by Mr. Ewald. Mr. Pile absent. All in favor, motion carried (6-0).

Police Report

The May 2021 Police Chief's Report was received and is on file. Chief Fisher reported they have started monitoring aggressive driving through the grant received by the District Attorney's office noting 28 traffic violations were in Southmont Borough. Chief Fisher stated the speed trailer will be set up on Menoher Blvd. during Thunder in the Valley.

Mr. Freiwald addressed Chief Fisher and stated he has given the police department permission to park a police cruiser on his property along Shady Lane to catch speeding vehicles and monitor suspicious activity and inquired why the officers declined to park on his property. Chief Fisher stated it has become an issue when taking traffic violations to court in the past when the property owner does not show up to testify that they gave permission to the officers, so they prefer to avoid the issue and do not park cruisers on private property. Mr. Freiwald was advised to contact the police department if he notices suspicious activity or speeding vehicles so an officer can respond. Chief Lose also stated surveillance cameras are an advantage because if an actual crime is being committed, they can put the footage on their social media sites to identify the person and he will have lines painted on Shady Lane and will monitor more often to deter speeding.

Fire Company Report

The May 2021 Fire Chief's Report was received and is on file. Chief Butler stated fourteen members participated in an emergency operational vehicle course to keep updated on defensive driving and the fire company now has four new breathing apparatus's costing approximately \$8,000.00 per piece with most being paid through a grant noting the old apparatus' will be used for training purposes. Chief Butler reported there is one member waiting for his national firefighter certification test and another waiting for results for fire instructor certification test.

Engineer Report

Mr. Banks reported he met with Harry to look at stream bank erosion along Shady Lane near Susan Drive noting it is a substantial project and a likely time-consuming project and is most likely going to require a joint permit. Mr. Banks does not think it should be included with the DEP loan the borough is considering for Cheney Run.

Mr. Banks reported a sinkhole has developed on Mabel Street and DEP has agreed to a draft change order for it to be included in Phase II of the sewer project noting the issue is being caused by two storm sewer pipes that are rusted out on the bottom and material is getting into the pipe which will eventually cause an issue to the sewer line located directly next to it. Mr. Banks stated he is hoping to get the paperwork into DEP by tomorrow. Mr. Lingenfelter has the area coned off and has ordered “Closed Except for Local Traffic” signs and he will cover the sink hole with a metal plate.

Mr. Banks reported they are still waiting to finish up wet weather inspections and flow meters are still in. Mrs. Speicher mentioned a notice received from Johnstown Redevelopment Authority informing the borough of grant funds that have recently been made available for sewer lateral replacement and compliance projects. Mrs. Speicher requested the notice be sent to property owners that have received an excess groundwater notice but have not yet made repairs.

Zoning Report

The May 2021 Zoning Report was received and is on file.

Street Commissioner Report

The May 2021 Street Commissioner’s Report was received and is on file.

Mr. Lingenfelter reported Suppes Ford stated they may not be able to get us a truck for possibly another two years due to parts being shipped from overseas and he is contacting other dealerships to see what else is available. Solicitor Carbonara stated he has heard dealerships are offering buy-back programs for vehicles because of the high demand for commercial trucks. A motion was made by Mr. Trevorrow to allow Mrs. Layton and Mr. Lingenfelter to sign a contract to purchase a new truck up to a cap limit of \$80,000 inclusive of everything. Motion seconded by Mr. Morgan. Mr. Pile absent. All in favor, motion carried (6-0).

Solicitor Report

Nothing to report currently.

Executive Secretary Report

The June 2021 Executive Secretary’s report was received and is on file. Mrs. Layton reported the American Rescue Plan application has been submitted.

A motion was made by Mr. Morgan to approve forgiving \$1,432.94 in garbage and sewer maintenance penalties that were erroneously applied. Motion seconded by Mr. Ewald. Mr. Pile absent. All in favor, motion carried (6-0).

Mayor’s Report

Nothing to report.

New Business

A motion was made by Mr. Trevorrow to table Ordinance No. 533, establishing the Borough Manager position, until the July 19, 2021 monthly meeting. Motion seconded by Mr. Morgan. Mr. Pile absent. All in favor, motion carried (6-0).

A motion was made by Mr. Trevorrow to readvertise for public works employees. Motion seconded by Mr. Morgan. Mr. Pile absent. All in favor, motion carried (6-0).

Mrs. Speicher stated she compiled a new committee list and new boards, commissions and authorities list. A motion was made by Mr. Morgan to approve the boards, commissions and authorities as presented by Mrs. Speicher. Motion seconded by Mr. Muncert. Mr. Pile absent. All in favor, motion carried (6-0).

A motion was made by Mr. Rodgers to approve the Externship Agreement with Hiram G. Andrews for use of students enrolled in the Building Maintenance Program to help with grass cutting and snow maintenance. Motion seconded by Mr. Muncert. Mr. Pile absent. All in favor, motion carried (6-0).

Solicitor Carbonara sent letter to Election Board of Cambria County regarding 2021 elections and he has received the green return receipt card.

Solicitor Carbonara reported on the traffic light request for Menoher Blvd. and Diamond Blvd. noting Westmont Hilltop School District approved the agreement for reimbursement, which includes reimbursing the borough for costs associated with maintenance to the potential traffic light and PennDOT would cover the costs of installation. A motion was made by Mr. Morgan to approve the traffic light study and reimbursement agreement. Motion seconded by Mr. Rodgers. Mr. Pile absent. All in favor, motion carried.

Mr. Kissel informed council the traffic light at Menoher Blvd. and Gardner Street needs the timing fixed because traffic coming off Gardner Street is not given much time so residents have to sit at the light for multiple cycles. Mrs. Layton stated she reported it to PennDOT previously and will submit it again.

Solicitor Carbonara reported he drafted a letter regarding planned penalties for residents that do not complete repairs to alleviate excess groundwater. There was a lack of motion.

A motion was made by Mr. Muncert to approve the intermunicipal service agreement with Greater Johnstown Water Authority and Southmont Borough for usage of their vacuum/excavation truck and employee for issues related to sewer mains and/or laterals that need to be clear. Motion seconded by Mr. Morgan. Mr. Pile absent. All in favor, motion carried (6-0).

Committees:

Streets: Mr. Morgan reported PennDOT was in to review the 2021 paving plans and provide estimates noting the Street Committee will review and bring back to council.

Administration: Nothing to report.

Personnel: Nothing to report.

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Police: Mr. Trevorrow reported he informed the commission that cruisers can be leased for 3, 4 and 5 years and he suggested leasing two police cruisers for 5 years and the commission stated you cannot lease police cruisers for 5 years. Mr. Trevorrow stated he received confirmation that you can lease police cruisers for 5 years and they include a full bumper to bumper warranty, but the commission has already approved to purchase one new police cruiser.

Budget/Tax Collection: Pile absent. Nothing to report.

Shade Trees: Nothing to report.

Bldg. & Grounds: Nothing to report.

GJWA: Mr. Pile absent. Mrs. Speicher stated our water is now better than most bottled water because of a new treatment process.

Open Records: Nothing to report.

Borough Services: Mr. Pile absent. Nothing to report.

Audit: Mr. Rodgers reported the 2020 audit was received along with a proposal from Kotzan & Associates for a 1-year audit for \$8,000 or 3-year audits for \$7,500 per year. Mr. Rodgers stated the audit committee will review.

Insurance: Nothing to report.

Blighted Properties: Nothing to report.

Ballfield Improvement: Nothing to report.

Business Items

A motion was made by Mr. Rodgers to approve ratification of payroll from May 18, 2021 through June 21, 2021 in the amount of \$17,751.50. Motion seconded by Mr. Trevorrow. Roll call: Mr. Morgan, Mr. Trevorrow, Mr. Ewald, Mr. Muncert, Mr. Rodgers, and Mrs. Speicher in favor. Mr. Pile absent. Motion carried (6-0).

A motion was made by Mr. Rodgers to approve payment of bills from May 18, 2021 through June 21, 2021 in the amount of \$155,083.37. Motion seconded by Mr. Trevorrow. Roll call: Mr. Morgan, Mr. Trevorrow, Mr. Ewald, Mr. Muncert, Mr. Rodgers, and Mrs. Speicher in favor. Mr. Pile absent. Motion carried (6-0).

A motion was made by Mr. Rodgers to approve transfers from May 18, 2021 through June 21, 2021 in the amount of \$94,845.22. Motion seconded by Mr. Trevorrow. Roll call: Mr. Morgan, Mr. Trevorrow, Mr. Ewald, Mr. Muncert, Mr. Rodgers, and Mrs. Speicher in favor. Mr. Pile absent. Motion carried (6-0).

A motion was made by Mr. Rodgers to approve the May 2021 treasurer's report in the amount of \$1,583,575.33. Motion seconded by Mr. Morgan. Mr. Pile absent. All in favor, motion carried (6-0).

A motion was made by Mr. Rodgers to note the receipt of the May 2021 tax collector's report in the amount of \$2,131.56. Motion seconded by Mr. Morgan. Mr. Pile absent. All in favor, motion carried (6-0).

Public Comment

Mr. Saylor would like approval to have the trap removed from his property and requesting reimbursement for Roto Rooter invoices to have the lines cleared several times. Mr. Banks stated he had the line televised

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and everything such as elevation looks fine and the ones that seem to have the most issues are low water usage homes. Mr. Banks stated homes with the same issue have had the trap removed which solved the issues.

Motion made by Mr. Ewald to reimburse Mr. Saylor \$368.00 for Roto Rooter and to have the trap removed. Motion seconded by Mr. Muncert. Mr. Pile absent. All in favor, motion carried (6-0).

President Speicher called for an Executive Session at 5:24 p.m. to discuss legal matters. Executive Session ended at 5:54 p.m. and council resumed its regular meeting.

There being no further business, a motion was made by Mr. Morgan for adjournment of the June 21, 2021 meeting at 5:54 p.m. Motion seconded by Mr. Trevorrow. Mr. Pile absent. All in favor, motion carried (6-0).

Respectfully submitted,

Amanda Layton
Executive Secretary