

BOROUGH OF SOUTHMONT  
148 WONDER STREET  
JOHNSTOWN, PA 15905

MINUTES FOR FEBRUARY 20, 2023

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

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**Present:** Council Members Eric Muncert, Doug Beri, Richard Burkert, Kevin Pile, Sheree Speicher, Bob Morgan, (entered 4:11 p.m.) Borough Manager Amanda Layton; Police Chief Ed Fisher; Fire Chief Edward Burkett; Deputy Fire Chief Steven Costic; 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.)

**Public Comment:**

Mr. Robert Walker stated he has previously reported the hillside and trees along the private lane on Southmont Blvd needs cleaned up to make the entrance into the borough look more pleasing. Mr. Muncert explained that the Property Maintenance & Street Committee were reviewing the area. Mr. Walker questioned why the public could not be involved in executive sessions such as the sessions held regarding the soccer field. Solicitor Carbonara explained that legal matters are brought into executive session to discuss legal strategy with the attorney regarding active or pending litigation.

Mr. Klanchar stated that he is running for Southmont Borough Council. Mr. Klanchar stated he expected Council to correct a setback that was waived on a fence permit for 600 Harshberger Road in 2017. Solicitor Carbonara stated the permit was approved under the borough's previous zoning ordinance and a setback for a fence was not required at that time.

A motion was made by Mrs. Speicher for no action to be taken regarding the fence at 600 Harshberger Road. Motion seconded by Mr. Pile. Mr. Ewald and Mr. Morgan absent. All in favor motion carried. (5-0).

Mr. Klanchar told council he is still being missed for garbage pick-up. Mr. Muncert asked Mrs. Layton to contact Pro Disposal and see if the problem can be resolved.

**Minutes**

A motion was made by Mrs. Speicher to approve the January 16, 2023 Council Meeting Minutes. Motion seconded by Mr. Burkert. Mr. Ewald absent. All in favor, motion carried (6-0).

**Police Chief's Report**

The January 2023 Police Chief's report was received. Chief Fisher stated the department received a total of 418 calls in January and issued 56 traffic tickets and 44 warnings. Chief Fisher reported that all officers have completed their 2-year CPR certifications. Mr. Muncert inquired if all the police cars have the installation of the new license plate readers. Chief Fisher stated that all readers are installed and in service.

**Fire Company Report**

The January 2023 Fire Chief's Report was received. Chief Burkett stated that all members have been hazmat certified and the new County wide radio service will soon be up and running. Mr. Muncert expressed the Councils appreciation for the work and dedication that former Fire Chief Joel Weslager has given to the borough.

**Engineer's Report**

Mr. Banks reported the last pour for the Cheney Run Headwall Project is scheduled for tomorrow and the restoration process will begin noting Mar-Allen Company has done excellent work.

Mr. Banks reported the borough hasn't quite met the 625 EDU requirement under the Consent Order and Agreement noting that he will need to submit a flow reduction plan to the Department of Environmental Protection by March 1<sup>st</sup> and the flow meters will be reinstalled in Spring 2023.

A motion was made by Mr. Morgan to approve Mar-Allen Pay Estimate No. 3 for the Cheney Run Replacement Project for \$81,409.05. Motion seconded by Mrs. Speicher. Mr. Ewald absent. All in favor, motion carried (6-0).

A motion was made by Mrs. Speicher to approve Stiffler McGraw to prepare roof replacement bid specifications for the municipal building. Motion seconded by Mr. Morgan. Mr. Ewald absent. All in favor, motion carried (6-0).

A motion was made by Mrs. Speicher to approve Stiffler McGraw to prepare borough office specifications for upgrades to borough offices, security and restrooms. Motion seconded by Mr. Morgan. Mr. Ewald absent. All in favor, motion carried (6-0).

**Zoning Officer's Report**

The January 2023 Zoning Officer's Report was received. Mr. Muncert stated the invoice provided by Mr. Walker shows a fee for a manufactured home seminar noting the borough should not be paying for seminars or classes that Mr. Walker attends without prior approval by council. A motion was made by Mrs. Speicher to pay the January 2023 invoice from Walker Consulting Services minus \$35.00 for the cost of the seminar attended. Motion seconded by Mr. Beri. Mr. Ewald absent. All in favor, motion carried (6-0).

**Street Commissioner's Report**

The Street Commissioner's report was received and is on file. Mr. Lingenfelter reported they are prepping equipment for the upcoming spring and summer season and patching potholes as weather permits. Mr. Muncert stated that all roads have been well cleared during snowstorms with no complaints from residents.

**Solicitor's Report**

Solicitor Carbonara summarized the timeline of the soccer field lease agreement with the Westmont Hilltop School District for the public noting the stay order was lifted and work has begun on the field.

A motion was made by Mr. Beri to ratify the approval given for Solicitor Carbonara to lift the stay on the soccer field. Motion seconded by Mr. Morgan. Mr. Ewald absent. All in favor, motion carried (6-0).

A motion was made by Mr. Beri to approve the soccer field lease agreement with Westmont Hilltop School District as presented. Motion seconded by Mr. Morgan. Mr. Ewald absent. All in favor, motion carried (6-0).

**Borough Manager Report**

The Borough Manager's report was received and is on file.

A motion was made by Mrs. Speicher to approve closing PLGIT General Fund Account and move the remaining balance of \$9.67 to Cheney Run Fund. Motion seconded by Mr. Beri. Mr. Ewald absent. All in favor, motion carried (6-0).

A motion was made by Mrs. Speicher to approve payment of remaining 2022 Fire Tax Balance to Southmont Volunteer Fire Company for \$1,516.74. Motion seconded by Mr. Morgan. Mr. Ewald absent. All in favor, motion carried (6-0).

**Mayor's Report**

Nothing to report.

**Committees:**

**Administration:** Mr. Muncert reported a meeting on March 14, 2023, at 4:00 p.m. will be held to discuss updates to the personnel policy and job descriptions.

**Audit:** Nothing to report.

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

**Community Planning & Improvement:**

Mr. Burkert stated Mr. Barry Polster is a retired certified planner and will help the committee with a comprehensive plan. Mr. Burkert stated he will also be contacting Chris Allison from Cambria County Planning Commission for help in the future to assist the borough.

**Emergency Management:** Nothing to report.

**GJWA:** Mrs. Speicher reported the water authority is working on the valve issue at North Fork Dam and noted there are approximately 4,500 homes on record at this time that are not in compliance. Mrs. Speicher reported an increase on the resident water bills noting the increase is due to the Johnstown Redevelopment Authority raising their rates by \$2.00 this year.

**Grants:** Mr. Beri reported there may be funding opportunities for bid specifications on the municipal building roof replacement specifications through USDA, DCED and PennVEST that he will look into and noted there could be tax free funding available for the portion of the roof over the fire company.

**Insurance:** Nothing to report.

**MS4/Stormwater:** Mrs. Speicher stated that there will be a luncheon meeting February 24, 2023, with Westmont Borough and Cambria County and she would like members of the Council to attend if they are able.

**Personnel:** Mr. Muncert stated that Mr. Josh Blasko is doing a good job and he recommends him to be a full-time employee. A motion was made by Mrs. Speicher to approve Josh Blasko to a full-time position at \$13.30 per hour. Motion seconded by Mr. Beri. Mr. Ewald absent. All in favor, motion carried (6-0).

**Police:** Nothing to report.

**Property Maintenance and Streets:**

Mr. Ewald absent. Mr. Muncert suggested looking into renting the vacuum truck from Greater Johnstown Water Authority per day instead of per instance. Mr. Lingenfelter stated he was told the truck was only available for emergencies. Mrs. Speicher stated she would speak with the water authority to clarify.

**Shade Trees:** Mr. Burkert stated that there will be 10 trees sent to the borough for planting through the Bare Root Tree Grant. Mr. Burkert stated we are awaiting a time frame of when the trees will be available for pickup noting he hopes to use them for the borough's annual Arbor Day Program.

**New Business**

A motion was made by Mr. Morgan to approve Ordinance 542, authorizing participation in property maintenance program of the Cambria County Building Code Enforcement Agency (Laurel Municipal Inspection Agency). Motion seconded by Mr. Burkert. Mr. Ewald absent. All in favor, motion carried (6-0).

A motion was made by Mr. Morgan to approve Resolution 2023-01, Disposition of Records. Motion seconded by Mr. Burkert. Mr. Ewald absent. All in favor, motion carried (6-0).

A motion was made by Mr. Morgan to approve Resolution 2023-02, Establishing Procedure for audio tape recording destruction. Motion seconded by Mrs. Speicher. Mr. Ewald absent. All in favor, motion carried (6-0).

A motion was made by Mr. Morgan to approve Resolution 2023-03, amending fee schedule related to property maintenance. Motion seconded by Mr. Pile. Mr. Ewald absent. All in favor, motion carried (6-0).

Mrs. Speicher stated there was a misspelling on the draft Rules of Order/Public Comment Policy noting it should state "a crowd" instead of "a crown".

A motion was made by Mrs. Speicher to approve Resolution 2023-04, adopting updated Rules of Order/Public Comment Policy with the correction to the misspelling of "crowd". Motion seconded by Mr. Morgan. Mr. Ewald absent. All in favor, motion carried (6-0).

Mrs. Speicher questioned the draft traffic and roadway regulation ordinance inquiring if the entire length of Leila Street needed to be no parking on both sides or if the section between Thoburn and Olive Street could remain no parking on one side since the street is wider there. Chief Burkett stated they mainly have issues at intersections and once they are marked no parking within 15 feet of intersections that should alleviate any issues the fire company would have. Mr. Beri asked if a stop sign could be added to the four-way intersection at Daisy Street, Edward Street, and Dell Street coming up Dell Street toward Daisy Street noting it is currently a three-way stop and there have been several accidents there.

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A motion was made by Mrs. Speicher to approve advertising Ordinance No. 543, amending traffic and roadway regulations with a change on Leila Street to have no parking on both sides between Helen Street and Thoburn Street and no parking on the southern side of Leila Street between Thoburn Street and Olive Street and the addition of a stop sign on Dell Street at the intersection of Dell Street, Daisy Street, and Edward Street. Motion seconded by Mr. Beri. Mr. Ewald absent. All in favor, motion carried (6-0).

A motion was made by Mrs. Speicher to appoint Mr. Doug Beri to LMIA Program Committee for a 2 year term. Motion seconded by Mr. Burkert. Mr. Ewald absent. All in favor, motion carried (6-0).

**Business Items**

A motion was made by Mr. Morgan to approve ratification of payroll from January 1, 2023 through February 20, 2023 in the amount of \$13,297.78. Motion seconded by Mrs. Speicher. Roll call: Mr. Muncert, Mr. Beri, Mr. Burkert, Mr. Pile, Mrs. Speicher, and Mr. Morgan. Mr. Ewald absent. All in favor. Motion carried (6 -0).

A motion was made by Mr. Morgan to approve payment of bills from January 17, 2023 through February 20, 2023 in the amount of \$146,768.09. Motion seconded by Mrs. Speicher. Roll call: Mr. Muncert, Mr. Beri, Mr. Burkert, Mr. Pile, Mrs. Speicher, and Mr. Morgan. Mr. Ewald absent. All in favor, motion carried (6-0).

A motion was made by Mr. Morgan to approve transfers from January 17, 2023 through February 20, 2023 in the amount of \$92,220.00. Motion seconded by Mrs. Speicher. Roll call: Mr. Muncert, Mr. Beri, Mr. Burkert, Mr. Pile, Mrs. Speicher, and Mr. Morgan. Mr. Ewald absent. All in favor, motion carried (6-0).

A motion was made by Mr. Beri to approve the January 2023 treasurer's report in the amount of \$1,625,764.85. Motion seconded by Mrs. Speicher. Roll call: Mr. Muncert, Mr. Beri, Mr. Burkert, Mr. Pile, Mr. Morgan, and Mrs. Speicher. Mr. Ewald absent. All in favor, motion carried (6-0).

A motion was made by Mrs. Speicher to accept the Tax Collector's Report for January 2023 in the amount of \$0.00. Motion seconded by Mr. Beri. Mr. Ewald absent. All in favor. motion carried (6-0).

A motion was made by Mr. Beri to enter into an Executive Session at 5:10 p.m. to discuss legal matters relating to 18 Shady Lane. Motion seconded by Mrs. Speicher. Mr. Ewald absent. All in favor, motion carried (6-0). Executive Session ended at 5:28 p.m. and council resumed its regularly scheduled meeting.

A motion was made by Mr. Beri to authorize Solicitor Carbonara to take action to collect past due garbage and sewer maintenance for 18 Shady Lane. Motion seconded by Mrs. Speicher. Mr. Ewald absent. All in favor. motion carried (6-0).

There being no further business, a motion was made by Mr. Pile for adjournment of the February 20, 2023 meeting at 5:28 p.m. Motion seconded by Mrs. Speicher. Mr. Ewald absent. All in favor, motion carried (6-0).

Respectfully submitted,  
Debra Riek  
Assistant Secretary