

BOROUGH OF SOUTHMONT
148 WONDER STREET
JOHNSTOWN, PA 15905

MINUTES FOR MAY 18, 2020

The scheduled May 18, 2020 teleconference Council meeting was called to order by President Speicher at 4:00 p.m.

Present: Mayor Mark Yonko; Council President Sheree Speicher; Council Members Edward Danyluk, Richard Rodgers, Kevin Pile, Herb Ewald and Robert Morgan; Solicitor Michael Carbonara; Exec. Sec. Amanda Layton; Street Commissioner Harry Lingenfelter; Police Chief Michael Lose; Engineer Todd Banks

Absent: Council Member Gregory Paolini, Fire Chief Michael Butler

Visitors: Russell O Reilly, Tribune Democrat

Meeting Agenda

A motion was made by Mr. Pile to approve the April 20, 2020 meeting minutes. Motion seconded by Mr. Rodgers. Roll call: Mr. Danyluk, Mr. Rodgers, Mr. Pile, Mr. Ewald, Mr. Morgan and Mrs. Speicher in favor. Mr. Paolini absent. All in favor, motion carried (6-0).

Police Chief's Report

The April 2020 and May 2020 Police Chief's Reports were received and are on file. Chief Lose stated they have started repairs on the radar machine and are waiting on a part to get it back on the road.

Fire Chief's Report

Chief Butler absent. The May 2020 Fire Chief's report was received and is on file. Mrs. Layton reported the Jubilee has been cancelled due to COVID-19 and the fire company is looking into funding to assist with lost revenues.

Engineer's Report

Mr. Banks reported the Department of Environmental Protection began reviewing the documents submitted for the Consent Order & Agreement Project Closeout noting he looked into the flow meter data from the rain event on March 26, 2020 and it did not qualify for a two-year rain event so they will continue to monitor the flow monitors. Mrs. Speicher referenced a letter received from Johnstown Redevelopment Authority stating they will temporarily suspend monitoring sanitary flows and storm water infiltration and noted the most recent results show there is still significant storm water infiltration and the sanitary flow rate exceeds the permitted limits. Mrs. Speicher inquired whether they removed the flows from Upper Yoder Township. Solicitor Carbonara stated he believes everyone received the letter

May 18, 2020 Minutes - Page 2 of 5

and he doesn't believe they removed the Upper Yoder Township flows when calculating the flow rates for Southmont.

Mr. Banks reported the lateral televising inspection program began today and crews are coming Thursday and two days next week to start the televising process and will follow up the following week noting all 78 properties should be televised by June 5, 2020.

Mr. Banks reported the Tomato Alley paving project is ready to advertise for bidding noting bids would be due June 8th, opened June 10th and approved at the June 15th monthly meeting. A motion was made by Mr. Rodgers to approve advertising the Tomato Alley paving project bids. Motion seconded by Mr. Pile. Roll call: Mr. Danyluk, Mr. Rodgers, Mr. Pile, Mr. Ewald, Mr. Morgan and Mrs. Speicher in favor. Mr. Paolini absent. All in favor, motion carried (6-0).

Mr. Banks reported the Cheney Run head wall replacement project permit should be submitted to the Department of Environmental Protection within the next three weeks.

Mr. Banks reported Mr. Lingenfelter dye tested and then had Roto Rooter televise the storm sewer near 227 Mabel Street after the property owner drew attention to excess water that had caused damage to his patio and found a series of corrugated metal pipes had rotted out. Mr. Banks stated Stiffler McGraw can televise the storm sewer line while doing the lateral televising and prepare a proposal for repairs. A motion was made by Mr. Pile to approve Stiffler McGraw to televise the storm sewer line near 227 Mabel Street and prepare a proposal. Motion seconded by Mr. Ewald. Roll call: Mr. Danyluk, Mr. Rodgers, Mr. Pile, Mr. Ewald, Mr. Morgan and Mrs. Speicher in favor. Mr. Paolini absent. All in favor, motion carried (6-0).

Zoning Officer's Report

The April 2020 Zoning Officer's report was received and is on file. Mr. Pile stated Grimaldi's Garage still a lot of tires and junk on the property. Council directed Mrs. Layton to have Mark Walker give Grimaldi's a time limit to get the property cleaned up and send a cease and desist letter due to no water service. Mr. Banks stated the lateral sewer service line has been replaced, but sewer service was not hooked up inside. Mr. Pile noted Grimaldi's has excavating equipment on the property, which indicates there are two businesses running and only the garage is registered at that address. Solicitor Carbonara stated Mark Walker can start citing them and take the violations to the District Magistrate.

Street Commissioner's Report

Mr. Lingenfelter reported he rented a crack sealer for the first two weeks in June and will be focusing on the Violet Street, Dahlia Street, and King Street area. Mr. Lingenfelter stated he purchased a gas-powered tamper and they are working on patching potholes.

Solicitor's Report

Solicitor Carbonara reviewed the fallen tree that Mark Drummey and Toby McIlwain from Palliser Street had discussed at the April 20, 2020 monthly meeting noting the tree fell onto a paper alley, which isn't borough property, so the borough isn't obligated to remove it. A motion was made by Mr. Morgan to deny the request to remove a tree that fell onto the paper alley between 139 Palliser Street and 209 Palliser Street and to have Solicitor Carbonara send a letter to the property owners advising them of such. Motion seconded by Mr. Pile. Roll call: Mr. Danyluk, Mr. Rodgers, Mr. Pile, Mr. Ewald, Mr. Morgan and Mrs. Speicher in favor. Mr. Paolini absent. All in favor, motion carried (6-0).

Solicitor Carbonara reported he provided council with a sample of the new road cutting ordinance noting a fee schedule for permits to cover inspections is needed. Mrs. Speicher suggested adding a signature line for the person inspecting to sign off on and removing the section requiring a permit for constructing, improving, modifying or altering a driveway where said driveway enters the borough roadway. Solicitor Carbonara asked Mr. Banks for his suggestions on an appropriate fee schedule and Mr. Banks stated it should be limited to work being done i.e. water line crossing the road opposed to a gas line being run down a long stretch of road noting he will review the fee schedule for Indiana Borough for reference. A motion was made by Mr. Pile to approve making the suggested changes to proposed Ordinance No. 527 adding a signature line to inspection forms and removing the section requiring permits for driveways and advertising Ordinance No. 527, which provides that no roads be opened or cut without first securing a permit and restoration of roadways when opened. Motion seconded by Mr. Morgan. Roll call: Mr. Danyluk, Mr. Rodgers, Mr. Pile, Mr. Ewald, Mr. Morgan and Mrs. Speicher in favor. Mr. Paolini absent. All in favor, motion carried (6-0).

Executive Secretary's Report

Mrs. Layton stated a Safety Officer is required to monitor COVID-19 safety procedures are being taken and to answer any questions employees may have. A motion was made by Mr. Morgan to approve Amanda Layton as the Safety Officer. Motion seconded by Mr. Rodgers. Roll call: Mr. Danyluk, Mr. Rodgers, Mr. Pile, Mr. Ewald, Mr. Morgan and Mrs. Speicher in favor. Mr. Paolini absent. All in favor, motion carried (6-0).

Mrs. Layton provided a street grading list, five-year paving plan and People's Natural Gas's 2020 projected project plans. The Street Committee will have a meeting to review and finalize the proposed street paving list.

Mayor's Report

Mayor Yonko had nothing to report.

New Business

A motion was made by Mr. Pile to approve the MS4 Public Education and Outreach Program. Motion seconded by Mr. Danyluk. Roll call: Mr. Danyluk, Mr. Rodgers, Mr. Pile, Mr. Ewald, Mr. Morgan and Mrs. Speicher in favor. Mr. Paolini absent. All in favor, motion carried (6-0).

COMMITTEE REPORTS:

- A. **Streets:** Nothing further to report.
- B. **Administration:** Nothing to report.
- C. **Personnel:** Mr. Rodgers requested an Executive Session at the end of the meeting regarding personnel matters.
- D. **Police:** Mr. Morgan reported there will not be a meeting this month.
- E. **Budget/Tax:** Mr. Pile reported real estate taxes are down approximately \$29,000 from last year at this time, but real estate transfer taxes are up approximately \$18,000.
- F. **Shade Tree:** Mr. Morgan reported a tree was removed at 411 State Street noting the owner, Mr. Joe Polantz, intends to replant 3 new trees once the stump comes out and proposed removing 3 trees in the paper alley and splitting cost with borough. Mr. Morgan reported a request was received from 104 King Street requesting a tree removal due to it disturbing the sidewalk. Mr. Morgan stated the tree is healthy and he doesn't recommend taking it out right now noting there are more dangerous trees to handle first.
- G. **Building & Grounds:** Mr. Morgan reported nothing done with soccer field lease yet and plans for the basketball court landscaping upgrades are on hold due to COVID-19. Mr. Lingenfelter will look at crack sealing basketball court.
- H. **Greater Johnstown Water Authority:** Mr. Pile reported the water authority is negotiating with the City of Johnstown over purchasing their sewer system. Mr. Pile reported there is new a water line going in from Kernville to Westmont and they will be putting in new tank also and the North Fork project is waiting for permits to move forward with project.
- I. **Open Records:** Nothing to report.
- I. **Borough Services:** Nothing to report.
- J. **Audit:** Nothing to report.
- K. **Insurance:** Mr. Paolini absent. Nothing to report.
- L. **Centennial:** Nothing to report.

Business Items:

A motion was made by Mr. Morgan to approve ratification of payroll from April 23, 2020 through May 18, 2020 in the amount of \$5,089.67. Motion seconded by Mr. Rodgers. Roll call: Mr. Danyluk, Mr. Rodgers, Mr. Pile, Mr. Ewald, Mr. Morgan and Mrs. Speicher in favor. Mr. Paolini absent. All in favor, motion carried (6-0).

A motion was made by Mr. Morgan to approve payment of bills from April 21, 2020 through May 18, 2020 in the amount of \$126,246.05. Motion seconded by Mr. Rodgers. Roll call: Mr. Danyluk, Mr. Rodgers, Mr. Pile, Mr. Ewald, Mr. Morgan and Mrs. Speicher in favor. Mr. Paolini absent. All in favor, motion carried (6-0).

A motion was made by Mr. Morgan to approve the April 2020 Treasurer's Report in the amount of \$1,564,526.29. Motion seconded by Mr. Pile. Roll call: Mr. Danyluk, Mr. Rodgers, Mr. Pile, Mr. Ewald, Mr. Morgan and Mrs. Speicher in favor. Mr. Paolini absent. All in favor, motion carried (6-0).

May 18, 2020 Minutes - Page 5 of 5

A motion was made by Mr. Morgan to note the receipt of the April 2020 tax collector's report in the amount of \$212,277.45. Motion seconded by Mr. Pile . Roll call: Mr. Danyluk, Mr. Rodgers, Mr. Pile, Mr. Ewald, Mr. Morgan and Mrs. Speicher in favor. Mr. Paolini absent. All in favor, motion carried (6-0).

President Speicher called for an Executive Session at 5:20 p.m. regarding personnel issues. Executive Session ended at 5:29 and council resumed its regularly scheduled meeting.

There being no further business, a motion was made by Mr. Rodgers for adjournment of the May 18, 2020 meeting at 5:29 p.m. Motion seconded by Mr. Morgan. Roll call: Mr. Danyluk, Mr. Rodgers, Mr. Pile, Mr. Ewald, Mr. Morgan and Mrs. Speicher in favor. Mr. Paolini absent. All in favor, motion carried (6-0).

Respectfully Submitted,

Amanda Layton
Executive Secretary