

BOROUGH OF SOUTHMONT  
148 WONDER STREET  
JOHNSTOWN, PA 15905

MINUTES FOR AUGUST 21, 2023

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The pledge of allegiance was conducted, and the scheduled August 21, 2023 Council meeting was called to order by President Doug Beri at 4:00 p.m.

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**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; Sargent Thomas Dowdell, Fire Chief Edward Burkett; Solicitor Michael Carbonara; Mayor Anthony Keiper; Street Commissioner Sam McAdams; Engineer Todd Banks; Asst. Sec Debra Riek

**Visitors:** Robert Walker (312 State St.); John A. Klanchar (104 Dahlia St.), Lary Koval (336 Orchard St.); Carol Hickman (103 Dahlia St.); Sam Ross (116 Violet St.); Mike Butler (6 Cox St.); Jayce Pecze (103 Violet St.); Russ O'Reilly (Tribune-Democrat)

A motion was made by Mr. Burket to place Laurel Asphalt Company on the agenda due to an emergency sink hole on State Street. Motion seconded by Mr. Pile. All in favor, motion carried. (7-0).

**Public Comment:**

Carol Hickman stated her frustration with the parking problems on Dahlia Street and stated that she believes the council needs to set guidelines for how people making comments should act at public meetings. Mrs. Hickman asked the council to take action to resolve the parking problem that has been on going for over 16 months.

Bob Walker was concerned about the sink hole on State Street and is glad to learn it will be resolved this month and also stated that the behavior of some residents at previous meetings should not be tolerated by council.

Lary Koval stated he is interested in having the proposed parking and placement of signage ordinance passed as soon as possible to allow the stop sign to be placed at the corner of Olive and Orchard Streets to prevent accidents.

Sam Ross believes that threats from some residents should be addressed and not tolerated by the council.

John Klanchar stated he has rights and freedom of speech and can state his concerns as he wishes and that he believes he is being harassed by the council and should be left alone.

**Correspondence Received**

A motion was made by Mrs. Speicher to approve the request from Westmont Hilltop High School Soccer Boosters to hold a senior parade on September 9, 2023. Motion seconded by Mr. Ewald. All in favor, motion carried (7-0).

A motion was made by Mrs. Speicher to approve the request from Westmont Hilltop High School District to hold a homecoming parade on October 14, 2023. Motion seconded by Mr. Ewald. All in favor, (7-0).

**Minutes**

A motion was made by Mr. Pile to approve the July 17, 2023, council meeting minutes. Motion seconded by Mrs. Speicher. All in favor, motion carried (7-0).

**Police Chief's Report**

The July 2023 Police Chief's Report was received. Chief Fisher stated that 379 calls were received in the month of July and reported the number of calls was down. Chief Fisher also reported that the speed trailer had a data port correction and update in software and should be placed on Southmont Blvd. soon.

**Fire Company Report**

The July 2023 Fire Chief's Report was received. Chief Burkett reported 18 incidents in July making a total of 114 for the year. Chief Burkett stated his concern with Westmont Hilltop School District requesting the Fire Company to carry insurance coverage of 5 million dollars for the Fireman's Jubilee next year. Chief Burkett stated that the ride company has 1-million-dollar insurance coverage and the Fire Company carries 1-million-dollar insurance coverage. Chief Burkett stated he feels that the request for the 5-million-dollar coverage is extreme.

**Engineer's Report**

Mr. Banks stated that the roof replacement and building security upgrade specs will be completed soon. Mr. Banks reported there are a few residents that need to be re-inspected for the excess flow project and will be completed when there is sufficient rainfall.

**Zoning Officer's Report**

The July 2023 Zoning Officer's Report was received.

**Solicitor's Report**

Solicitor Carbonara reported that there are 5 homes outstanding noting 4 of the homes are in need of a water termination notice and one home needs reinspected. A motion was made by Mr. Ewald to approve the sending of Notice of Enforcement for Failure to Act notices to the five properties. Mrs. Speicher stated that the residents living at 521 State Street are renters and should be given notice before any action is taken. Solicitor Carbonara agreed that the residents should be notified and given 3 months before the water is terminated. Mr. Ewald rescinded his motion to have further discussion in the Executive Session. Solicitor Carbonara stated that he has been communicating with the Westmont Hilltop School District regarding the school crossings and has not heard back from them. Solicitor Carbonara also stated he sent a letter to Laues Municipal Inspection Agency in regard to a few changes on their notices and has not heard back from them as of this date.

**Street Commissioner's Report**

The July 2023 Street Commissioner's Report was received and is on file. Mr. Beri stated that Mr. McAdams is doing a great job in his new position. Mr. McAdams reported that the street sweeper is being repaired and should be working soon.

**Borough Manager Report**

The July 2023 Borough Manager's Report was received and is on file. Due to the emergency situation of a sink hole on State Street that needs repaired as soon as possible, Mr. Pile made a motion to approve Laurel Asphalt Company to repair the sink hole on State Street. Motion seconded by Mr. Morgan. All in favor, motion carried (7-0).



**Mayor's Report**

Nothing to report.

**Committees:**

**Administration:** Nothing to report.

**Audit:** Mrs. Speicher reported there will be a committing meeting on September 5, 2023, to review the audit, budget and address the Fire Company audit.

**Budget/Tax Collection:** Mrs. Speicher stated that there are 7 properties being reviewed under the Tax Assessment Appeal Board.

**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 noting this will help with comprehensive planning for the borough.

**Emergency Management:** Nothing to report.

**GJWA:** Mr. Pile reported there is some progress in the North Fork Dam Project and the Westmont water tanks will be installed in the near future. Mr. Pile stated that after the North Fork Dam Project is completed, they will be working on the Dalton Dam.

**Grants:** Mr. Beri reported he will be able to apply for a grant for roof and building repairs for the borough on September 1, 2023, after the engineer's specs and estimates are completed.

**Insurance:** Nothing to report.

**MS4/Stormwater:** Mrs. Speicher stated that a letter was received asking for the endorsement from the borough in support of the city of Johnstown working with the many municipalities and mapping of the stormwater for the surrounding communities to be able to apply for grants. A motion was made by Mr. Burkert to approve sending a letter of endorsement and stormwater mapping information to the City of Johnstown as requested. Motion seconded by Mr. Kupchella. All in favor, motion carried (7-0).

**Personnel:** Nothing to report.

**Police:** Nothing to report.

**Property Maintenance and Streets:** Mr. Ewald reported the borough is looking good and Mr. McAdams is doing a good job in his new position. Mr. Ewald will be having a meeting about the sidewalks in the near future.

**Shade Trees:** Mr. Burkert reported there are several tree issues throughout the borough that have been reported to the borough office. Mr. Morgan suggested that the borough has Tree Expert go through the borough and assess the trees that are problems and need to be removed or trimmed and report back to the council. A motion was made by Mr. Burkert to have the Tree Expert evaluate the conditions of the trees reported to the borough. Motion seconded by Mr. Morgan. All in favor, motion carried (7-0).

**New Business**

A motion was made by Mr. Ewald to approve advertising Ordinance No. 545, prohibiting the parking of large vehicles, trucks, and trailers on borough roadways. There was discussion on construction trailers and time frames that they could be parked on the street and permits that would be needed. It was decided to continue the discussion in the Executive Session to see if they could resolve the problems and not delay the parking ordinance being advertised. Mr. Ewald rescinded the motion. A motion was made by Mr. Pile to table the motion until after executive session. Motion seconded by Mrs. Speicher. All in favor, motion carried (7-0).

A motion was made by Mr. Pile to approve advertising Ordinance No. 546, authorizing the placement of parking. Motion was seconded by Mrs. Speicher. All in favor, motion carried. (7-0).

**Business Items**

A motion was made by Mr. Pile to approve ratification of payroll from July 18, 2023, through August 8, 2023, in the amount of \$10,740.38. 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 from July 18, 2023, through August 8, 2023, in the amount of \$122,884.16. 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 July 18, 2023, through August 8, 2023, in the amount of \$72,368.00. 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 July 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 July 2023. Motion seconded by Mrs. Speicher. All in favor. motion carried (7-0).

A motion was made by Mrs. Speicher to enter an Executive Session for Legal issues at 5:17 p.m. to discuss legal matters. Motion seconded by Mr. Morgan. All in favor, motion carried (7-0). Executive Session ended at 5:52 p.m. and council resumed its regularly scheduled meeting.

A motion was made by Mr. Pile to approve posting a notice on the door and sending a certified mail Notice of Enforcement for Failure to Act to the owner and tenant of 521 State Street informing them of the borough's intent to terminate water services 90 days after receipt of the notice if they fail to make the required repairs. Motion seconded by Mr. Ewald. All in favor, motion carried (7-0).

A motion was made by Mr. Pile to approve posting a notice on the door and sending a certified mail Notice of Enforcement for Failure to Act to the owner of 296 Langhorne Avenue informing them of the borough's intent to terminate water services 30 days after receipt of the notice if they fail to make the required repairs. Motion seconded by Mr. Ewald. All in favor, motion carried (7-0).



A motion was made by Mr. Pile to approve posting a notice on the door and sending a certified mail Notice of Enforcement for Failure to Act to the owner of 106 Mabel Street informing them of the borough's intent to terminate water services 30 days after receipt of the notice if they fail to make the required repairs. Motion seconded by Mr. Ewald. All in favor, motion carried (7-0).

A motion was made by Mr. Pile to approve posting a notice on the door and sending a certified mail Notice of Enforcement for Failure to Act to the owner of 221 Leon Street informing them of the borough's intent to terminate water services 30 days after receipt of the notice if they fail to make the required repairs. Motion seconded by Mr. Ewald. All in favor, motion carried (7-0).

A motion was made by Mr. Pile to approve posting a notice on the door and sending a certified mail Notice of Enforcement for Failure to Act to the owner of 216 Leila Street informing them of the borough's intent to terminate water services 30 days after receipt of the notice if they fail to make the required repairs. Motion seconded by Mr. Ewald. All in favor, motion carried (7-0).

A motion was made by Mr. Ewald to approve advertising Ordinance 545, with amendments to Section 2F to read "The parking of any large truck, truck trailer, or trailer for the purpose of the delivery or pick-up of merchandise, material, goods or the performance of a contracted services provided that the parking of said vehicles and trailers shall terminate immediately upon conclusion of the delivery or pick-up of merchandise, material, goods or completion of the contracted service. This exception shall not exceed eight (8) hours." and Article 4A to read "Large Vehicles, Truck Trailers, Trailers, garbage dumpsters and/or storage pods used for construction, by contractors for services or home owners, may be placed on a street directly in front of (or on the side of the property if it is a corner lot) the residence requiring them, provided that the following requirements are met:"

There being no further business, a motion was made by Mr. Pile for adjournment of the August 21, 2023 meeting at 5:43 p.m. Motion seconded by Mr. Morgan. All in favor, motion carried (7-0).

Respectfully submitted,

Debra Riek  
Assistant Secretary