

**BOROUGH OF SOUTHMONT**  
**148 Wonder Street**  
**Johnstown, PA 15905**

**Minutes for July 16, 2018**

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The pledge of allegiance was conducted and the scheduled July 16, 2018 Council meeting was called to order by President Rodgers at 4:00 p.m.

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**Present:** Attorney Michael Carbonara; Borough Manager Richard Wargo; Sec./Treas. Amanda Layton; Council President Richard Rodgers; Council Members; Gregory Paolini (4:50 p.m.), Ed Danyluk, Kevin Pile, Bob Morgan and Sheree Speicher; Mayor Mark Yonko; Police Sgt. Ed Fisher; Fire Chief Joel Weslager; Engineer Todd Banks

**Absent:** Council Member Herb Ewald

**Visitors:** Dan Wallace (Project Restoration Issues), Chet Borosky (Project Restoration Issues) and Rebecca Benford (Project Restoration Issues)

**Visitor Recognition**

Mr. Wallace addressed council regarding the property damage at his property located at 105 Peden Lane noting at the last meeting he was added to a list of substantial issues to be done before payment to Snyder Environmental Services would be approved. Mr. Wallace stated Snyder Environmental Services has installed two drains to solve the water issue in a very sloppy manner and they have added gravel to the parking area, but it is still not able to be parked in. Mr. Wallace had questions regarding the validity of easements that residents had signed and Solicitor Carbonara informed him he would need to inquire with his own legal counsel. Mr. Wallace also noted he is losing rental income at both of his rental properties because of the restoration issues. Mr. Banks stated the gravel and drains are just a temporary fix until the machines come through for final restorations.

Mr. Borosky addressed council regarding the property damage at his property located at 323 Palliser Street noting Kukurin Contracting removed trees and vegetation at the rear of the property, which is now allowing storm water run-off to flow through creating a gully and washing out his yard. Mr. Borosky stated he filed a complaint form the first week of May 2018 and has stopped in the borough office every two weeks since noting he finally saw a member of the Kukurin Construction work crew on July 5<sup>th</sup> and asked when they would get to his property. The work crew member claimed they never received his complaint form. Mr. Banks stated Mr. Borosky's issue made Stiffler McGraw aware that there was an issue with communication regarding complaints with Kukurin Contracting. Mr. Banks stated they could not plant trees on top of the sewer line, but agreed to look into planting something along the rear of the property to stabilize the area.

Ms. Benford addressed council regarding the property damage at her property located at 109 Leon Street noting Kukurin Contracting stated they would need to go through a wall on her property during the sewer replacement project. Ms. Benford stated Kukurin

Contracting damaged the wall and are claiming she is responsible for repairs. Ms. Benford noted the wall was old before construction began, but it had a few more years left in it and did not need replaced before the project. Ms. Benford also stated a member of one of the crews approached her and offered to repair the wall for \$1,500.00. Ms. Benford also stated they also damaged the sidewalk and driveway and left ruts in the yard. Mr. Wargo and Mr. Banks will look into the issue.

### **Meeting Agenda**

A motion was made by Mr. Pile to approve the council meeting minutes of June 18, 2018. Motion seconded by Mr. Morgan. Mr. Ewald and Mr. Paolini absent. All in favor, motion carried (5-0).

### **Police Chief's Report**

Mr. Fisher reported the Department's Summer Open House will be held on Saturday, July 28 from 11:00 am to 2:00 pm.

### **Fire Company's Report**

Chief Weslager reported members made Case McNalty, an 8 year old borough resident, an honorary member of the Southmont Volunteer Fire Company and crews were called to a rolled over car with entrapment on Menoher Blvd.

### **Engineer's Report**

Mr. Banks reported Kukurin Contracting has been in the borough a few days per week working on Phase I restorations. Mr. Banks noted that the storm water run-off and restoration of the staging area on Diamond Blvd. was reported to the Department of Environmental Protection and Stiffler McGraw will now be involved in making sure the issues are resolved.

Mr. Banks reported Snyder Environmental Services has made progress on the list of issues since payment was withheld at the previous council meeting and the main line pipes are expected to be completed by the end of July.

A motion was made by Mr. Morgan to approve Pennvest Pay Requisition No. 9 in the amount of \$566,504.77. Motion seconded by Mr. Pile. Mr. Ewald and Mr. Paolini absent. Roll call: Mr. Danyluk, Mr. Pile, Mrs. Speicher, Mr. Morgan and Mr. Rodgers in favor. Motion carried (5-0).

A motion was made by Mr. Morgan to approve payment of Snyder Environmental Service Pay Estimate No. 9 in the amount of \$519,554.17. Motion seconded by Mr. Danyluk. Mr. Ewald and Mr. Paolini absent. Roll call: Mr. Danyluk, Mr. Pile, Mrs. Speicher, Mr. Morgan and Mr. Rodgers in favor. Motion carried (5-0).

A motion was made by Mr. Pile to table Snyder Environmental Service Pay Estimate No. 10 in the amount of \$418,213.12 until progress is made. Motion seconded by Mr. Danyluk. Mr. Ewald and Mr. Paolini absent. Roll call: Mr. Danyluk, Mr. Pile, Mrs. Speicher, Mr. Morgan and Mr. Rodgers in favor. Motion carried (5-0).

Council reviewed correspondence from Eric Millinder of 113 Dahlia Street. Mr. Millinder sent the letter to notify council that the cement slab front steps in front of his

house at 113 Dahlia Street have not been adequately restored following the sewer line replacement project and are unstable and unsafe. Mr. Banks will check the stability of the steps, but he and Solicitor Carbonara agreed the before and after photos appeared to show improvement to the steps.

**Zoning Officer's Report**

Mr. Wargo reported three building permits issued to 23 Harding Street (retaining wall), 1067 Menoher Blvd. (sign), and 319 Diamond Blvd. (fence) and four certificates of compliance issued to 135 Wonder Street, 113 Dahlia Street, 58 Shady Lane and 329 Southmont Blvd.

**Manager's Report**

Mr. Wargo reported the centennial committee meeting met last week and the next meeting will be August 14<sup>th</sup> noting a committee of residents will take over the centennial celebration planning.

**Solicitor's Report**

Solicitor Carbonara informed council the Supreme Court of Pennsylvania denied the Petition for Allowance of Appeal regarding Lamar Advertising.

**Secretary's Report**

Mrs. Layton reported the air conditioning units in the borough offices were repaired and it was suggested that council think about budgeting for a new system in the near future.

**Mayor's Report**

Nothing to report.

**New Business**

A motion was made by Mr. Morgan to approve advertising for garbage bids for a one, two, and/or three year contract beginning January 1, 2019. Motion seconded by Mr. Pile. Mr. Paolini and Mr. Ewald absent. Roll call: Mr. Danyluk, Mr. Pile, Mrs. Speicher, Mr. Morgan and Mr. Rodgers in favor. Motion carried (5-0).

A motion was made by Mrs. Speicher to approve adding Richard Rodgers and Kevin Pile to the check signature cards at Somerset Trust Bank. Motion seconded by Mr. Pile. Mr. Paolini and Mr. Ewald absent. Roll call: Mr. Danyluk, Mr. Pile, Mrs. Speicher, Mr. Morgan and Mr. Rodgers in favor. Motion carried (5-0).

Mr. Paolini arrived.

Mrs. Speicher reviewed quotes received for removing and adding landscaping in the front of the municipal building as follows: Lichtenfels Nursery, Inc. \$3,286.00, Milkie's Landscaping and Lawn Service \$8,806.00, and Stuver's Riverside Nursery, Inc. \$3,332.64. Mr. Wargo informed council that the quote from Lichtenfels Nursery stated mulch would be used, but they will use river rock. A motion was made by Mr. Pile to approve the quote from Lichtenfels Nursery, Inc. for removing and replacing landscaping at the municipal building in the amount of \$3,286.00 on the condition that river rock be used instead of mulch. Motion seconded by Mr. Morgan. Roll call: Mr. Paolini, Mr.

Danyluk, Mr. Pile, Mrs. Speicher, Mr. Morgan and Mr. Rodgers in favor. Motion carried (6-0).

Mrs. Speicher reviewed quotes received for new sidewalks at the municipal building noting the quotes were split into sections of Thoburn Street, Dell Street, Front Entrance and Wonder Street as follows:

Bassett Masonry, Inc.	
Thoburn Street	\$4,110.00
Dell Street	\$6,112.00
Front Entrance	\$5,020.00
Wonder Street	\$15,447.00

Danchanko, Inc.	
Thoburn Street	\$5,515.00
Dell Street	\$3,110.00
Front Entrance	\$4,969.00
Wonder Street	\$17,975.00

Moyer Concrete	
Thoburn Street	\$2,637.00
Dell Street	\$6,985.00
Front Entrance	\$3,977.00
Wonder Street	\$13,775.00

A motion was made by Mr. Pile to approve the quote received from Moyer Concrete for removing and replacing existing sidewalk along Wonder Street in the amount of \$13,775.00. Motion seconded by Mr. Morgan. Roll call: Mr. Paolini, Mr. Danyluk, Mr. Pile, Mrs. Speicher, Mr. Morgan and Mr. Rodgers in favor. Motion carried (6-0).

Mrs. Speicher reported the building and grounds committee will look into painting the building and repairing the handicap ramp after the landscaping has been done so they can get a better view of any damages.

## 1) COMMITTEE REPORTS

**A. Streets:** Mr. Ewald absent. Nothing to report.

**B. Administration:** Nothing to report.

**C. Personnel:** A motion was made by Mr. Pile to approve hiring Sam McAdams and Noah Buchan as part-time labor at \$7.25 per hour. Motion seconded by Mr. Morgan. Mr. Ewald absent. All in favor, motion carried (6-0).

**D. Police Committee:** Mr. Morgan reviewed an informational packet regarding police contribution rates and council will hold a committee meeting in the near future to further discuss.

**E. Budget & Tax Collection Committee:** Nothing to report.

**F. Shade Tree Committee:** Mr. Morgan reported numerous trees and limbs came down in the recent storms noting it cost the borough approximately \$8,000.00 for clean up fees.

**G. Buildings & Grounds Committee:** Mr. Pile noted the equipment at Diamond Blvd. Playground needs inspected.

**H. Greater Johnstown Water Authority:** Nothing to report.

**I. Open Records:** Nothing to report.

**J. Borough Services:** Nothing to report.

**K. Fire Company:** The 2017 Southmont Volunteer Fire Company audit was received and is on file.

**L. Audit:** A copy of the 2017 Southmont Borough audit was received and distributed to council for review.

**M. Insurance:** Nothing to report.

#### **Business Items**

A motion was made by Mr. Morgan to approve ratification of payroll from June 21, 2018 through July 18, 2018 in the amount of \$15,839.63. Motion seconded by Mr. Pile. Roll call: Mr. Paolini, Mr. Danyluk, Mr. Pile, Mrs. Speicher, Mr. Morgan and Mr. Rodgers in favor. Mr. Ewald absent. Motion carried (6-0).

A motion was made by Mr. Morgan to approve payment of bills of June 20, 2018 through July 17, 2018 in the amount of \$53,483.20. Motion seconded by Mr. Paolini. Roll call: Mr. Paolini, Mr. Danyluk, Mr. Pile, Mrs. Speicher, Mr. Morgan and Mr. Rodgers in favor. Mr. Ewald absent. Motion carried (6-0).

A motion was made by Mr. Morgan to approve the June 2018 treasurers report in the amount of \$1,642,774.68. Motion seconded by Mr. Paolini. Mr. Ewald absent. All in favor, motion carried (6-0).

A motion was made by Mr. Morgan to note the receipt of the June 2018 tax collectors report in the amount of \$24,596.13. Motion seconded by Mr. Paolini. Mr. Ewald absent. Motion carried (6-0).

There being no further business, a motion was made by Mr. Paolini for adjournment of the July 16, 2018 meeting at 5:37 P.M. Motion seconded by Mr. Morgan. Mr. Ewald absent. All in favor, motion carried (6-0).

Respectfully submitted,  
*Amanda D. Layton*  
Secretary/Treasurer