

BOROUGH OF SOUTHMONT  
148 WONDER STREET  
JOHNSTOWN, PA 15905

MINUTES FOR JUNE 19, 2023

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The pledge of allegiance was conducted, and the scheduled June 19, 2023 Council meeting was called to order by Vice President Sheree Speicher at 4:00 p.m.

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**Present:** Council Members Sheree Speicher, Doug Beri, Richard Burkert, Kevin Pile, Bob Morgan, Herb Ewald, Borough Manager Amanda Layton; Detective Sergeant Dean West; Fire Chief Edward Burkett; Solicitor Michael Carbonara; Engineer Todd Banks; Mayor Anthony Keiper; Asst. Sec. Debra Riek.

**Visitors:** Sam Ross Jr. (116 Violet St.); Rocco Truscello (298 Langhorne St.); Patti Kristoff (308 Leila St.); John A. Klanchar (104 Dahlia St.); John G. Klanchar (190 Woodland Road); Jo Arlene Klanchar (104 Dahlia St.); Terry Vilkofsky (135 Wonder St.); Lary Koval (336 Orchard St.); Carol Hickman (103 Dahlia St.); Nanci Gaborek (600 Harshberger Road); Judy Kelly (102 Violet St.); Jayce Pecze (103 Violet St.)

**Public Comment:**

Rocco Truscello stated that his neighbors have bon fires on their property. Mrs. Speicher suggested Mr. Truscello call the police non-emergency number to report the situation. Mr. Truscello stated he did contact the police, but nothing was done. Mrs. Speicher stated the borough office will send a violation notice to the residence.

Lary Koval stated that the intersection of Olive and Orchard Street needs a stop sign going up Olive Street and needs the except right turn sign at the stop sign coming down Orchard Street removed to slow down traffic. Mrs. Speicher said the council is looking into the situation.

Carol Hickman stated her frustration with the parking situation on Dahlia Street and that she would like a plan of action to resolve the problem noting there are vehicles and trailers that have been parked and not moved for months and several are licensed in different states. Mrs. Hickman stated she cannot mow the area along the street due to the trailers and vehicles and that she has complained to the borough and the local police numerous times for 15 months and nothing has been done. Mrs. Hickman feels like she is paying higher taxes to live in a nice area but feels like she is living in a junkyard and the borough and police are not doing their job.

Nanci Gaborek reported that she would reiterate what Mrs. Hickman stated and also that due to problems with their neighbor they will be returning to Cambria County Court. Mrs. Gaborek reported that a portion along her property is being torn up and has ruts from the way her neighbor is pulling out. Mrs. Gaborek stated her family is subjected to inappropriate language and actions from this neighbor that is causing anxiety and she would appreciate any help the borough could give to alleviate the issues on Dahlia Street.

John G. Klanchar stated there have been problems for 46 years with his neighbors and he is out over \$3,000 because of the civil court hearings. Mr. Klanchar stated the vehicles and trailers are parked on the street because he can't put them in the paper alley. Solicitor Carbonara explained the court decision was

that both parties have access in and out of the paper alley but cannot park or block access to either resident so Mr. Klanchar could park in the back of the property but cannot hinder access.

John A. Klanchar stated that for 46 years he has cut the grass along the paper alley and they have paid taxes and maintained their property. Mr. Klanchar reported the borough enacted the universal building code noting section 105.4 states if you reuse material you cannot do it without approval from the codes person. Mr. Klanchar reviewed the recent property maintenance violation notice he received noting his vehicles are legally parked. Mr. Klanchar believes that the borough has done nothing but harass him and his family.

Mr. Pile stated Mr. Klanchar has emailed the borough on many occasions and has references to Marvin Heemeyer of Grand Lake, Colorado, and insinuated that he has considered taking similar actions. Mr. Pile stated that he feels parts of Mr. Klanchar's emails are considered a threat and he gave a copy to our solicitor and the police to investigate. Mr. Pile stated he is putting the police and our solicitor on notice for any future action that may occur.

Judy Kelly reported that people on Violet Street are parking on the front of their property on grass and not in a driveway, they need to be notified by the borough.

Patty Kristoff stated there are trees near 306 and 308 Leila Street that are dying and need to be removed. Mrs. Kristoff stated she is also concerned about the borough limiting parking in front of her home and she believes there is enough access for cars to get down the street without any problems.

Jo Arlene Klanchar stated she can't use the handicap parking space in front of her home because it was moved and she is afraid to sit on her front porch alone because the neighbor's daughter speaks badly about them loudly enough for her to hear and she never knows if the neighbors are on her property or not because she is legally blind.

A motion was made by Mr. Morgan to accept the resignation of Eric Muncert. Motion seconded by Mr. Pile. All in favor, motion carried (6-0).

A motion was made by Mr. Pile to appoint Mr. Beri as President of Council. Motion seconded by Mr. Morgan. All in favor, motion carried (6-0).

A motion was made by Mr. Pile to appoint Mrs. Speicher remain Vice President. Motion seconded by Mr. Morgan. All in favor, motion carried (6-0).

A motion was made by Mrs. Speicher to appoint Eugene Kupchella to replace Eric Muncert. Motion seconded by Mr. Beri. All in favor, motion carried (5 – 1). Mr. Ewald opposed.

There was a moment of silence to honor the passing of Sergeant Michael Beblar.

### **Correspondence**

Khaled Eissa at 201 Leila Street requested to return his property to a single dwelling with credit for the outstanding balance. There was a letter that was never received requesting to return the property to a single dwelling. Solicitor Carbonara suggested the council table the request until there is an investigation

of the situation and confirm the request. A motion was made by Mr. Pile to table the request until the property is investigated. Motion seconded by Mr. Morgan. All in favor, motion carried (6-0).

A motion was made by Mrs. Speicher to reimburse the landscaping request for \$2,563.00 from the Cheney Run Project for Michael Walters at 110 Leon Street. Motion seconded by Mr. Ewald. All in favor, motion carried (6-0).

#### **Minutes**

A motion was made by Mrs. Speicher to approve the May 15, 2023, Council Meeting Minutes. Motion seconded by Mr. Pile. All in favor, motion carried (6-0).

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

The May 2023 Police Chief's report was received. Det. Sgt. West stated there was a 2-day training secession in Baltimore, Maryland that the department participated in, and the speed trailer was down for repairs but is now working. Det. Sgt. West stated there has been a rash of car thefts in unlocked vehicles in the area and the department is trying to inform the public to keep their cars always locked. Mr. Pile asked if the incidents mentioned in the police report were repeat offenders and Det. Sgt. West stated that they were not.

#### **Fire Company Report**

The May 2023 Fire Chief's Report was received. Chief Burkett was reported that the Jubilee was the most successful and profitable and they had great weather all week. Chief Burkett stated that thanks to the community's support, the fire company will now be able to pay off the remaining balance of the loan for the fire engine this year.

#### **Engineer's Report**

Mr. Banks reported the final inspection for the Cheney Run Improvement Project has been completed and everything was satisfactory. A motion was made by Mrs. Speicher to approve the final pay estimate to Mar-Allen in the amount of \$28,154.80. Motion seconded by Mr. Morgan. All in favor, motion carried (6-0).

Mrs. Speicher inquired with the resignation of Harry Lingenfelter; do we need to train someone to handle the excess flow readings. Mr. Banks stated that Stiffler McGraw will handle the remaining few residences. Mr. Banks reported the information for the security and building upgrades are being put together and should be done by the end of the week.

#### **Zoning Officer's Report**

The May 2023 Zoning Officer's Report was received.

#### **Solicitor's Report**

Solicitor Carbonara emailed Todd Banks of Stiffler McGraw with their input information of a 5G small facility request for fiber optics use of telephone poles in the borough to be reviewed. Solicitor Carbonara stated an email from Mr. Klanchar regarding a recent zoning hearing board appeal was forwarded to Attorney Barbin for review.

**Borough Manager Report**

The Borough Manager's May report was received and is on file. Mrs. Layton stated that the UpKeep system established for the maintenance staff is working well so far.

**Mayor's Report**

Mr. Keiper reported he spoke with a property owner regarding a request for handicap parking on Langhorne Avenue that will be reviewed under the Street Committee.

**Committees:**

**Administration:** A motion was made by Mr. Pile to approve discontinuing zoning/building code services with Walker Consulting Services effective 10/1/2023. Motion seconded by Mrs. Speicher. All in favor, motion carried (6-0).

A motion was made by Mr. Pile to approve hiring Laurel Municipal Inspection Agency as zoning/building code enforcement agency. Motion seconded by Mr. Ewald. All in favor, motion carried (6-0).

After discussion regarding the parking ordinance, it was decided it would go back to the committee for review due to numerous suggestions for changes that need to be addressed before the ordinance is passed.

**Audit:** Mrs. Speicher reported that the audit is completed for 2022 and the borough is in good standing.

**Budget/Tax Collection:** Mrs. Speicher reported the budget committee will start working on the 2024 budget shortly.

**Community Planning & Improvement:**

Mr. Burkert stated Mr. Barry Polster is a retired professional planner and will help the committee with a comprehensive community improvement plan and he has also met with the Cambria County Planning Commission and Chris Allison. After much discussion, Mr. Burkert suggested that he set up an exploratory meeting with Chris Allison and the Council to talk about future planning.

**Emergency Management:** Nothing to report.

**GJWA:** Mr. Pile reported that the Department of Environmental Protection is reviewing the requests for permits and the water tank is under construction located at the mound. Mr. Pile reported there are plans to work on having duplication of water services, so residents are not without water service at the same time during an emergency.

**Grants:** Mr. Beri reported an application was submitted for a \$25,000.00 no match grant through WalkWorks for transportation planning noting it would be used to develop plans that the borough could use to apply for larger multi modal grants.

**Insurance:** Nothing to report.

**MS4/Stormwater:** Nothing to report.

**Personnel:** Mrs. Speicher stated that in view of the recent resignation of the Street Commissioner, the committee is in the process of finding and interviewing a replacement.

**Police:** Nothing to report.

**Property Maintenance and Streets:**

Mr. Ewald stated that as he tours the borough things are improving and the borough is looking better. Mrs. Speicher suggested that a committee be formed to inspect sidewalks throughout the borough. Mr. Beri added sidewalks to the Street Committee.

A motion was made by Mrs. Speicher of approve the handicapped parking application for 298 Langhorne Avenue. Motion was seconded by Mr. Pile. All in favor, motion carried (6-0).

**Shade Trees:** Mr. Burkert stated that there are 9 applications for tree evaluation and there will be a committee meeting to plan Arbor Day and evaluate the trees in need of services.

**New Business**

A motion was made by Mrs. Speicher to accept the resignation of Harry Lingenfelter, the Street Commissioner, effective 05/25/2023. Motion was seconded by Mr. Pile. All in favor, motion carried (6-0).

A motion was made by Mrs. Speicher to approve advertising 2023 Paving Bids. Motion seconded by Mr. Pile. All in favor, motion carried (6-0).

A motion was made by Mrs. Speicher to approve opening a fire escrow account for 141 Wonder Street at Somerset Trust Company. Motion seconded by Mr. Pile. All in favor, motion carried (6-0). Mrs. Speicher stated that the Fire Department did an amazing job in saving the surrounding properties.

A motion was made by Mrs. Speicher to approve selling the 2006 Ford F350 Utility Truck. Motion seconded by Mr. Pile. All in favor, motion carried (6-0).

**Business Items**

A motion was made by Mr. Morgan to approve ratification of payroll from May 16, 2023 through June 19, 2023 in the amount of \$26,405.61. Motion seconded by Mrs. Speicher. Roll call: Mr. Beri, Mr. Burkert, Mr. Pile, Mrs. Speicher, Mr. Morgan, and Mr. Ewald. All in favor. Motion carried (6 -0).

A motion was made by Mr. Morgan to approve payment of bills from May 16, 2023 through June 19, 2023 in the amount of \$146,222.69. Motion seconded by Mrs. Speicher. Roll call: Mr. Beri, Mr. Burkert, Mr. Pile, Mrs. Speicher, Mr. Morgan, Mr. Ewald. All in favor, motion carried (6-0).

A motion was made by Mr. Pile to approve transfers from May 16, 2023 through June 19, 2023 in the amount of \$69,002.00. Motion seconded by Mr. Morgan. Roll call: Mr. Beri, Mr. Burkert, Mr. Pile, Mrs. Speicher, Mr. Morgan, and Mr. Ewald. All in favor, motion carried (6-0).

A motion was made by Mr. Morgan to approve the May 2023 treasurer's report in the amount of \$1,700,178.51. Motion seconded by Mrs. Speicher. Roll call: Mr. Muncert, Mr. Beri, Mr. Burkert, Mr. Pile, Mr. Morgan, and Mrs. Speicher. All in favor, motion carried (6-0).

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A motion was made by Mr. Pile to accept the Tax Collector's Report for May 2023 in the amount of \$6,620.44. Motion seconded by Mrs. Speicher. All in favor. motion carried (6-0).

A motion was made by Mrs. Speicher to enter into an Executive Session at 5:30 p.m. to discuss legal and personnel matters. Motion seconded by Mr. Pile. All in favor, motion carried (6-0). Executive Session ended at 6:01 p.m. and council resumed its regularly scheduled meeting.

There being no further business, a motion was made by Mr. Pile for adjournment of the June 19, 2023 meeting at 6:01 p.m. Motion seconded by Mrs. Speicher. All in favor, motion carried (6-0).

Respectfully submitted,  
Debra Riek  
Assistant Secretary