

BOROUGH OF SOUTHMONT  
148 WONDER STREET  
JOHNSTOWN, PA 15905

MINUTES FOR OCTOBER 17, 2022

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The pledge of allegiance was conducted, and the scheduled October 17, 2022 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, Herb Ewald, Bob Morgan, Kevin Pile,(Telephone), Sheree Speicher, Borough Manager Amanda Layton; Police Sargent Beblar; Police Officer Ian Olsasky; Fire Chief Joel Weslager; Solicitor Michael Carbonara; Engineer Todd Banks; Mayor Anthony Keiper; Zoning Officer Mark Walker; Street Commissioner Harry Lingenfelter, Asst. Sec. Debra Riek.

**Visitors:** Robert Walker (312 State St.); Jo Arlene Klanchar (104 Dahlia St.); John A. Klanchar (104 Dahlia St.) Philip Staib (159 Arlington Street); Devon Sky (Southmont Blvd.)

**Correspondence:**

Mr. Klanchar stated he had provided a statement and video to council via email stating he had a discussion with Mark Walker regarding zoning issues. Solicitor Carbonara stated he received a copy of the email and video and would be looking into Mr. Klanchar's issues.

Mr. Klanchar also addressed council stating he feels his civil rights have been violated noting he was not given due process on a fence variance that was granted to his neighbor and referenced other issues regarding a paper alley between their properties.

**Minutes**

A motion was made by Mr. Morgan to approve the September 19, 2022, Council Meeting Minutes. Motion seconded by Mr. Burkert. All in favor, motion carried (7-0).

**Police Chief's Report**

The Police Chief's report was received. Sargent Beblar stated the department has one police vehicle up and working with the new license reader installed, and the second vehicle will soon be up and working with the new reader. Mr. Muncert thanked the Police Officers for doing a great job for Southmont Borough.

**Fire Company Report**

The Fire Chief's Report was received. Mr. Muncert asked Mr. Lingenfelter to set up a meeting with Chief Weslager to review street parking in the Borough to determine what streets may need to have restricted parking for the purpose of emergency service vehicles and plowing.

**Engineer's Report**

Mr. Banks reported that the Cheney Run Project has begun on Olive St. and will be moving on the State Street this coming week noting they will then do the Private Lane and hillside, then finish at the headwall. Mr. Banks stated a camera was run at 216 Rear Leila Street and found the connection is offset causing

issues with sewer backup every few weeks. Mr. Banks stated he will contact the original contractors to find out if they can make the necessary corrections and will update council at the next meeting.

Mr. Banks reported Johnstown Redevelopment Authority submitted flow rates to the Department of Environmental Protection noting they do not match what he has for Southmont Borough. Solicitor Carbonara stated he will request information from JRA to compare with Mr. Bank's data from the flow meters noting he has spoken with Melissa Komar and JRA does not have plans to put flow meters back in.

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

The Zoning Officer's report was received. Mr. Muncert asked what the most common complaints Mr. Walker receives throughout the year by the municipalities. Mr. Walker stated depending on the time of year it would be property maintenance such as high grass and keeping clutter clear from the property.

#### **Street Commissioner's Report**

Street Commissioner's report was received. Mr. Lingenfelter reported the leaf machine would be picked up this week and the borough workers will be installing the liner.

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

Solicitor Carbonara reported Act 57 of 2022 was passed on October 11, 2022, noting an ordinance is needed from the borough to comply with the act. Solicitor Carbonara explained the act amends the local tax collection law to allow local tax collectors to waive late fees under certain circumstances when the tax bill is not received for newly purchased properties. A motion was made by Mr. Ewald to approve advertising an ordinance to adopt Act 57 of 2022 Amending Local Tax Collection Law, to be approved at the November 21, 2022 meeting. Motion seconded by Mrs. Speicher. All in favor, motion carried. (7-0).

A motion was made by Mr. Pile to approve Greater Johnstown Water Authority Sewer Collection Agreement. Motion seconded by Mrs. Speicher. All in favor, motion carried. (7-0).

#### **Borough Manager Report**

Borough Manager's report was received.

#### **Mayor's Report**

Mr. Keiper stated that the residences on Harding Street are thankful for the cleanup that was completed in the area. Mr. Muncert ask Mr. Lingenfelter if he could also have the sidewalk area cleaned on Arlington Street.

#### **Committees:**

**Administration:** A motion was made by Mr. Pile to approve advertising for Garbage Bids for a 1,2 and/or 3 year contract including a spring clean-up and/or a fall clean-up. Motion seconded by Mrs. Speicher. All in favor, motion carried (7-0).

A motion was made by Mr. Morgan to approve the Delinquent Garbage Account Policy and Delinquent Sewer Maintenance Policy. Motion seconded my Mr. Ewald. All in favor, motion carried. (7-0).

Mr. Pile stated he will be having a November 15, 2022 meeting to finalize the burning and RV ordinance.

**Audit:** Nothing to report.

**Budget/Tax Collection:** Mrs. Speicher stated the committee would be having a meeting November 8<sup>th</sup> at 3:00 p.m. to finalize the tentative budget. Mrs. Speicher asked the Personnel Committee to meet prior to the budget meeting to review wages so the figures can be added to the budget. Mrs. Speicher stated the committee will also discuss a tax increase to help with payment of water hydrant services and to accommodate for recent tax assessment appeals noting seven properties were recently lowered.

**Community Planning & Improvement:**

Mr. Burkert stated he will be rescheduling his committee meeting from October 23, 2022, which was cancelled due to the water termination hearings noting he has some community members in mind to assist the committee.

**Emergency Management:** Nothing to report.

**GJWA:** Mrs. Speicher reported the water authority and gas company will be teaming up in the future to replace both water and gas lines while the ditches are open noting the water company is being pro-active to remove the lead lines before it is required.

**Grants:** Mr. Beri reported that DCNR has a grant available for playgrounds and pavilions noting it would cost approximately \$2,500.00 for Stiffler McGraw to compile drawings for the preliminary development of the playground area for the borough. Mrs. Speicher suggested the council take the time to look at the needs of the community and make plans for all borough properties which could include a waling trail, dog park and playground equipment updates. The approving for the Resolution 2022-25 DCNR Recreation Grant died for lack of motion.

**Insurance:** Nothing to report.

**MS4/Stormwater:** Mrs. Speicher stated that a public meeting is needed to get information to the public on storm water planning to comply with the MS4 noting the November 21, 2022 meeting will be advertised to include discussion on stormwater activities.

**Personnel:** Mr. Muncert stated that there will be a meeting planned for salaries for 2023 prior to the budget committee.

**Police:** Nothing to report.

**Property Maintenance and Streets:**

Mr. Ewald reported he has been touring the borough once a week to see if properties are being maintained noting lists have been made of properties that need improvement and things seem to be looking better.

**Shade Trees:** Mr. Burkert will be contacting the Penn State representative to tour the borough on the trees that will need attention and ones that may need to be removed. Mr. Burkert will inform the council on the future touring and meeting dates.

**New Business**

A motion was made by Mr. Morgan to approve the 2023 Cambria County Transit Authority Municipality Assessment in the amount for \$5,094.89. Motion seconded by Mr. Pile. All in favor, motion carried (7-0).

**Business Items**

A motion was made by Mr. Morgan to approve ratification of payroll from September 20, 2022 through October 17, 2022 in the amount of \$12,053.40. Motion seconded by Mr. Burkert. Roll call: Mr. Muncert, Mr. Beri, Mr. Burkert, Mr. Pile, Mr. Ewald, Mrs. Speicher, and Mr. Morgan All in favor. Motion carried (7 -0).

A motion was made by Mr. Pile to approve payment of bills from September 20, 2022 through October 17, 2022, in the amount of \$250,310.71. Motion seconded by Mr. Morgan. Roll call: Mr. Muncert, Mr. Beri, Mr. Burkert, Mr. Pile, Mrs. Speicher, Mr. Ewald, and Mr. Morgan All in favor, motion carried (7-0).

A motion was made by Mrs. Speicher to approve transfers from September 20, 2022 through October 17, 2022 in the amount of \$66,9000.00. Motion seconded by Mr. Ewald. Roll call: Mr. Muncert, Mr. Beri, Mr. Burkert, Mr. Pile, Mr. Ewald, Mrs. Speicher, and Mr. Morgan All in favor, motion carried (7-0).

A motion was made by Mr. Morgan to approve the September 2022 treasurer's report in the amount of \$1,669,525.82. Motion seconded by Mrs. Speicher. Roll call: Mr. Muncert, Mr. Beri, Mr. Burkert, Mr. Pile, Mr. Ewald, Mr. Morgan, and Mrs. Speicher. All in favor, motion carried (7-0).

A motion was made by Mr. Pile to accept the Tax Collector's Report for September 2022. Motion seconded by Mrs. Speicher. All in favor. motion carried (7-0).

**Public Comment:**

Mr. Philip Staib reported to the council that trucks and cars are turning around in his driveway because Arlington Street is a dead-end, which ends up tearing up his yard. Mr. Muncert asked Mr. Lingenfelter to look into the situation and see if the "No Outlet" signs on Arlington Street are visible.

Mr. Muncert called for an Executive Session at 5:01 p.m. to discuss legal matters regarding various agreements. Executive Session ended at 5:58 p.m., and council resumed its regularly scheduled meeting.

A motion was made by Mr. Morgan to authorize Solicitor Carbonara to take all necessary action as it relates to the soccer field to protect the borough's interest in the soccer field. Motion seconded by Mrs. Speicher. All in favor, motion carried (7-0).

There being no further business, a motion was made by Mrs. Speicher for adjournment of the October 17, 2022 meeting at 6:00 p.m. Motion seconded by Mr. Pile. All in favor, motion carried (7-0).

Respectfully submitted,

Debra Riek  
Assistant Secretary