

BOROUGH OF SOUTHMONT
148 WONDER STREET
JOHNSTOWN, PA 15905

MINUTES FOR DECEMBER 11, 2023

The pledge of allegiance was conducted, and the scheduled December 11, 2023, Council meeting was called to order by Vice President Speicher at 4:00 p.m.

Present: Council Members Doug Beri (4:05 p.m. via teleconference), Sheree Speicher, Robert Morgan, Richard Burkert, Eugene Kupchella, Solicitor Michael Carbonara; Borough Manager Amanda Layton; Street Commissioner Sam McAdams; Police Chief Ed Fisher, Sgt. William “B.J.” Newman, Engineer Todd Banks, and Asst. Sec Debra Riek.

Absent: Kevin Pile, Herb Ewald, and Fire Chief Edward Burkett

Visitors: Attorney Toby McIlwain (Solicitor Proposals); Shanna Murphy Sosko (Cambria County Planning Commission)

Public Comments:

Attorney Toby McIlwain introduced himself as an attorney who had submitted a proposal for borough solicitor and was interested in observing the meeting proceedings.

Minutes

A motion was made by Mr. Morgan to approve the council meeting minutes of November 20, 2023. Motion seconded by Mr. Burkert. Mr. Ewald and Mr. Pile absent. All in favor, motion carried (5-0).

Police Report

Chief Fisher stated he will be attending one more meeting due to his retirement at the end of the year. And introduced Sgt. William “B. J.” Newman noting that Sgt. Newman will be taking over the position of Police Chief starting February 3, 2024.

Fire Company Report

Chief Burkert absent. The November 2023 Fire Chief’s report was received.

Engineer’s Report

Mr. Banks reported that he received plans from H.F. Lenz Company for an update to the mausoleum at Grandview Cemetery. It is 22 square feet by 5,000 square feet, no more than one acer. Solicitor Carbonara recommended that the stormwater ordinance be updated for the footage and placed on the January agenda to accommodate the Cemetery with exact footage.

Zoning Officer’s Report: Nothing to Report

Solicitor's Report

Solicitor Carbonara stated that he reached out to Beard Legal Group regarding the crossing guard appointment issue with Westmont Hilltop School District and it appears that the attorney handling the case is no longer with the law firm. Solicitor Carbonara stated that he will send a letter to the new attorney with Southmont's opinion on the matter and the issue would have to be followed up on by his predecessor.

Street Commissioner's Report

The Street Commissioner's Report was received and is on file. Mr. McAdams stated that the street sweeper is up and running and he believes they will be finished picking up leaves by the end of this week. Mrs. Speicher asked if they are ready for the winter and if they have had to salt the streets this year. Mr. McAdams stated they are ready and prepared for the winter and have only had to salt once this year so far.

Borough Manager Report

Mrs. Layton reported that another electronics recycling event with JVS Environmental has been scheduled for July 13, 2024. Mrs. Speicher stated that the borough appreciated the recycling of electronics for the residents and thanked Mrs. Layton for getting them set up.

Mayor's Report:

Nothing to report.

Committees:

Administration: Nothing to report.

Audit: Nothing to report.

Budget/Tax Collection: Nothing to report.

Community Planning & Improvements: Mr. Burkert reported that the committee met with Chris Allison and Shanna Murphy Sosko from the Cambria County Planning Commission to discuss developing a new comprehensive plan. Mrs. Murphy Sosko explained that the Cambria County Planning Commission is working to bring surrounding municipalities together for long-term community planning, but in the past fell short on community participation. Mrs. Murphy Sosko stated that the other municipalities may be more favorable if the Planning Commission took the lead. A motion was made by Mr. Beri to approve Cambria County Planning Commission to approach surrounding municipalities to discuss a potential multi-municipal comprehensive plan. Motion seconded by Mr. Kupchella. Mr. Pile and Mr. Ewald absent. All in favor, motion carried (5-0).

Emergency Management: Nothing to report.

Greater Johnstown Water Authority: Mrs. Speicher stated that at the January re-organization meeting, Mr. Chuck Arnone and Mr. John Fallansbee III will be up for re-appointment and noted Mr. Pile will be resigning from the board in February or March and the borough will need to appoint a new member at that time.

Grants: Mr. Beri reported that a Local Share Grant application was submitted at the end of November for the municipal building roof repairs and building upgrades noting the grant is a no match grant and he will keep council updated on the status of the application.

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Insurance: Nothing to report.

MS4/Stormwater: Mrs. Speicher reported the Public Education and Outreach Program target audience was reviewed and updated by the committee. Mr. Kupchella suggested the PEOP be added to the borough's website.

Personnel: Nothing to report.

Police: Nothing to report.

Property Maintenance, Streets and Sidewalks: Mr. Ewald absent. Nothing to report.

Shade Tree: Mr. Burkert reported that Tree Expert will be finishing the removal of three trees by the end of the week.

New Business:

A motion was made by Mr. Morgan to approve and advertise the 2024 Meeting Schedule. Motion seconded by Mr. Burkert. Mr. Pile and Mr. Ewald absent. All in favor, motion carried (5-0).

A motion was made by Mr. Beri to approve the 2024 Final Budget. Motion seconded by Mr. Burkert. All in favor. Mr. Pile and Mr. Ewald absent, motion carried (5-0).

A motion was made by Mr. Morgan to approve advertising the 2024 Final Budget. Motion seconded by Mr. Burkert. Mr. Pile and Mr. Ewald absent. All in favor, motion carried (5-0).

A motion was made by Mr. Burkert to approve Ordinance No. 547, setting the 2024 garbage fee. Motion seconded by Mr. Morgan. Mrs. Speicher questioned the language of the ordinance noting it would require apartment buildings that utilize a dumpster for the entire building to also pay the garbage fee. Solicitor Carbonara suggested changing the language and hold a special meeting to approve the updated version.

Solicitor Carbonara suggested new language to be added to the proposed 2024 garbage fee ordinance to better define dwelling units. A motion was made by Mr. Burkert to approve advertising Ordinance No. 550, setting the garbage fee for 2024. Motion seconded by Mr. Morgan. Mr. Pile and Mr. Ewald absent. All in favor, motion carried (5-0).

A motion was made by Mr. Morgan to schedule a special meeting for Thursday, December 21, 2023 at 4:00 p.m. Motion seconded by Mr. Burkert. Mr. Pile and Mr. Ewald absent. All in favor, motion carried (5 -0).

A motion was made by Mr. Morgan to approve Ordinance No. 548, fixing the tax rate for 2024 at 19.25 mills. Motion seconded by Burkert. Mr. Pile and Mr. Ewald absent. All in favor, motion carried (5 -0).

A motion was made by Mr. Beri to approve Ordinance No. 549, prohibiting tobacco use in municipal owned property and recreational areas. Motion seconded by Mr. Kupchella. Mr. Pile and Mr. Ewald absent. All in favor, motion carried (5-0).

A motion was made by Mr. Beri to approve appointing Attorney Eric Hochfeld of Sahlaney, Dudeck & Hochfeld as Borough Solicitor as of January 1, 2024. Motion seconded by Morgan. Mr. Burkert opposed. Mr. Pile and Mr. Ewald absent. Motion carried (4-1).

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Business Items:

A motion was made by Mr. Morgan to approve ratification of payroll from November 21, 2023 through December 11, 2023 in the amount of \$8,268.50. Motion seconded by Mr. Burkert. Roll call: Mr. Beri, Mr. Burkert, Mr. Morgan, Mrs. Speicher, and Mr. Kupchella in favor. Mr. Pile and Mr. Ewald absent. Motion carried (5-0).

A motion was made by Mr. Burkert to approve payment of bills from November 21, 2023 through December 11, 2023 in the amount of \$106,818.44. Motion seconded by Mr. Morgan. Roll call: Mr. Beri, Mr. Burkert, Mr. Morgan, Mrs. Speicher, and Mr. Kupchella in favor. Mr. Pile and Mr. Ewald absent. Motion carried (5-0).

A motion was made by Mr. Burkert to approve transfers from November 21, 2023 through December 11, 2023 in the amount of \$68,253.00. Motion seconded by Mr. Morgan. Roll call: Mr. Beri, Mr. Burkert, Mr. Morgan, Mrs. Speicher, and Mr. Kupchella in favor. Mr. Pile and Mr. Ewald absent. Motion carried (5-0).

A motion was made by Mr. Morgan to approve the November 2023 Treasurer's Report. Motion seconded by Mr. Burkert. Mr. Pile and Mr. Ewald absent. All in favor, motion carried (5-0).

A motion was made by Mr. Morgan to note the receipt of the November 2023 Tax Collector's Report. Motion seconded by Mr. Burkert. Mr. Pile and Mr. Ewald absent. All in favor, motion carried (5-0).

There being no further business, a motion was made by Mr. Burkert for adjournment of the December 11, 2023, meeting at 4:55 p.m. Motion seconded by Mr. Morgan. Mr. Pile and Mr. Ewald absent. All in favor, motion carried (5-0).

Respectfully Submitted,

Debra Riek
Assistant Secretary