

BOROUGH OF SOUTHMONT
148 WONDER STREET
JOHNSTOWN, PA 15905

MINUTES FOR MAY 15, 2023

The pledge of allegiance was conducted, and the scheduled May 15, 2023 Council meeting was called to order by President Eric Muncert at 4:00 p.m.

Present: Council Members Eric Muncert, Doug Beri, Richard Burkert, Kevin Pile, Sheree Speicher, Herb Ewald; Bob Morgan, (entered 4:03 p.m.) Borough Manager Amanda Layton; Police Chief Ed Fisher; Det. Dean West; Fire Chief Edward Burkett; Solicitor Michael Carbonara; Mayor Anthony Keiper; Street Commissioner Harry Lingenfelter; Asst. Sec Debra Riek

Absent: Engineer Todd Banks

Visitors: Robert Walker (312 State St.); John A. Klanchar (104 Dahlia St.), Lary Koval (336 Orchard Street); Mary A. Kory (332 Orchard Street); Ray Lombardi (798 Goucher Street); Lisa & Josh Yost (206 Leila Street); H.M. Clawson (210 Leila Street)

Council President Eric Muncert asked for a motion to amend the agenda for information just received from Westmont Hilltop Recreation Project and Intergovernmental Agreement. A motion was made by Mr. Ewald to add discussion of the Westmont Recreation Recreation Project and Intergovernmental Agreement to the agenda. Motion seconded by Mr. Burkert. All in favor, motion carried (7-0).

Public Comment:

Mr. Klanchar referenced correspondence he sent to borough council regarding Ordinance No. 543, regarding parking stating Harry Bennet was arrived late to the previous council meeting and addressed council out of order noting Solicitor Carbonara followed Mr. Bennet out of the building. Mr. Klanchar inquired why the no parking sign in front of Mr. Bennet's business was removed the next day. Mr. Muncert stated that he was responsible for the mistake of placing the no parking area on the north side of Queen Street instead of the south side noting that he didn't realize there is already no parking on Violet Street in front of Mr. Bennet's business so no parking on the north side of Queen Street would leave no accessible parking for his older customers so Mr. Muncert requested the sign be removed until the issue could be reviewed. Mr. Klanchar stated Queen Street does need to be no parking on at least one side. Solicitor Carbonara stated he spoke with Mr. Bennet regarding him addressing council out of order so that he understood the rules of order during council meetings and didn't leave frustrated because he hadn't been heard.

Mr. Koval stated he has concerns on the "Except Right Turn" sign added to the "Stop" sign at the intersection of Olive Street and Orchard Street. Mr. Koval stated in the past there have been accidents and there are children that play in their yard on the corner lot, and it is very dangerous. Mr. Koval suggested to the council that they reconsider the "Except Right Turn" sign. Mr. Pile agreed that the council should reconsider the sign.

Mrs. Kory stated that she lives on Orchard Street and Olive Street intersection at the curve and wanted to put boulders in her yard due to the traffic coming up Olive Street too fast and not being able to make the

turn, referencing a recent accident where a vehicle lost control and hit a tree in her yard. Mrs. Kory suggested a stop sign be placed coming up Orchard Street to stop speeding. Mr. Muncert stated that the council will review the situation,

Mr. Lombardi inquired if changing the parking ordinance would make it safer from traffic speeding off Goucher Street onto Queen Street and questioned what criteria were used to make the change in parking.

Mr. and Mrs. Yost stated changing the street parking to the opposite side of Leila Street would make it difficult at night when there are cars needing to be moved due to working schedules noting there are 6 drivers in their home and it makes it difficult with the parking changes and not having enough room to park all cars in their driveway.

Mr. Clawson stated there is plenty of room for the firetruck to go through on Leila Street and he believes the intersections at Leon Street, Helen Street and Leon Street being marked 15 feet no parking will resolve all traffic problems. Mr. Clawson noted that during the Jubilee Parade many firetrucks can make it through Leila Street without issues. Mr. Clawson also questioned council on what the criteria for deciding which areas would be considered no parking. Mrs. Speicher stated that the changes were initiated by a former fire chief that felt the fire company had issues getting emergency vehicles through certain streets so the fire company and Street Commissioner went through and identified areas they felt were an issue for emergency and borough equipment to get through. Mrs. Speicher stated that the council has been working on the parking project for 2 years and will review everyone's input on the parking changes. Mr. Muncert thanked the visitors for their concerns about the parking changes and stated that the council will take everything into consideration.

Correspondence Received

Mr. Muncert acknowledged email correspondence received from Mr. John A. Klanchar and Miguel & Sonja Gonzalez.

Minutes

A motion was made by Mrs. Speicher to approve the April 19,2023 council meeting minutes. Motion seconded by Mr. Morgan. All in favor, motion carried (7-0).

Police Chief's Report

The April 2023 Police Chief's Report was received. Chief Fisher stated that 450 calls were received in the month of March and there have been a rash of car break-ins with unlocked cars. Chief Fisher reported the annual take back drug day was very successful noting over 127 pounds of medication were collected and they have collected over 790 pounds since the take back day started in 2018. Chief Fisher also informed council that the department will be placing the speed trailer within the 4 municipalities in the next few months.

Fire Company Report

The April 2023 Fire Chief's Report was received. Chief Burkett reported April was a busy month with 24 calls and 9 firefighters were certified at a fire school that was held in Cambria Heights. Chief Burkett reported the Jubilee is coming along well and they will be able to take credit cards and debt cards this year, which should increase revenue because it will no longer be cash only.

Engineer's Report

Mr. Banks was absent. Solicitor Carbonara stated he asked Mr. Banks for flow data from recent rainfall noting the numbers were not as complete as he had hoped, but the data reading he received was positive. Solicitor Carbonara reported there are about 15 residents from the enforcement hearings that need to have the interior sewer work completed. Solicitor Carbonara stated we are still waiting for a good rainstorm to reinspect the other properties on the reinspection list and the remaining properties on Menoher Blvd. Solicitor Carbonara believes that the Department of Environment Protection will be extending the deadline requirement due to the fact on municipality has passed the State requirements. There are claims that some municipalities have met their criteria. Mr. Pile stated that as of this date to the best of our knowledge not one municipality has passed the criteria set by the State and that a request for extension dates is to be filed by Westmont Borough and the City of Johnstown. Mrs. Speicher asked what the deadline for Southmont Borough is with DEP. Solicitor Carbonara stated that it is September 31, 2023, with no extension at this time. Solicitor Carbonara believes that this borough has done its job properly and is in good standing.

Zoning Officer's Report

The April 2023 Zoning Officer's Report was received.

Street Commissioner's Report

The April 2023 Street Commissioner's Report was received and is on file.

Solicitor's Report

Solicitor Carbonara reached out to the Solicitor for Westmont Hilltop School District and has not heard from her regarding the Fire Company lease.

Solicitor Carbonara stated there were about 14 sewer and garbage leans that have been satisfied and there are several more that will be sent out in the near future.

Borough Manager Report

The April 2023 Borough Manager's Report was received and is on file. Mrs. Speicher asked how the new company is working out with property maintenance complaints. Mrs. Layton stated the reports are sent to Laurel Municipal Inspection Agency and then they will carry out the inspections and send the property owners a violation notice. Mrs. Layton reported PennDOT will be in on June 8th to review the proposed paving areas for 2023 and prepare the bid documents.

Mayor's Report

Nothing to report.

Committees:

Administration: Mr. Muncert stated that he received documents from Mr. Rob Gleason regarding the proposed Westmont Recreation Peer to Peer Feasibility Study that they started several months ago along with a draft Intergovernmental Agreement and asked if Southmont Borough Council would review the agreement and he wanted to check with the other two municipalities involved. Mrs. Speicher stated there was nothing in the budget for this year so it would be best to go before a special committee for further discussion.

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Audit: Mrs. Speicher stated the 2022 audit is completed and there is a meeting on June 13 at 3:00 p.m. to review the audit with Kotzan & Associates.

Budget/Tax Collection: Nothing to report.

Community Planning & Improvement: Mr. Burkert stated there will be a meeting tomorrow at 3:00 p.m. and Mr. Chris Allison, Director of the County Planning Commission, will be in to help with comprehensive planning and there will be a committee meeting scheduled soon to further discuss comprehensive planning for the borough.

Emergency Management: Nothing to report.

GJWA: Mr. Pile reported a group proposed putting electric generated pods in Dalton Dam to test a new system of generating electricity noting GJWA agreed. Mr. Pile reported GJWA is still waiting on permits from DEP for North Fork Dam and are currently working on getting special bolts to help relieve the pressure at the bottom of the dam.

Grants: A motion was made by Mrs. Speicher to approve applying for the WalkWorks Grant for \$25,000.00 to help with planning street work and potential safe walking routes such as sidewalks and bike routes. Motion seconded by Mr. Morgan. All in favor, motion carried (7-0). Mr. Beri asked Mrs. Layton to write a letter of support from the borough. Mrs. Speicher asked if this is a matching grant, Mr. Beri stated it is not a matching grant.

Insurance: Nothing to report.

MS4/Stormwater: A motion was made by Mr. Pile to approve MS4 Ordinance No. 544. Motion seconded by Mr. Burkert. All in favor, motion carried (7-0).

Personnel: Mr. Pile requested an executive session at the end of the meeting regarding personnel.

Police: Nothing to report.

Property Maintenance and Streets: Mr. Ewald stated there are several items that still need to be addressed and potholes need to be patched. Mr. Morgan asked about the timing of the light at the corner of Menoher Blvd. and Luzerne Street. Mr. Lingenfelter explained until the paving work is completed the timing of the stop light cannot be changed.

Shade Trees: Mr. Burkert reported the committee will be meeting May 23, 2023, at 3:00 p.m. Mr. Burkert reported there were 10 trees planted this year on Diamond Blvd., Palliser Street and Violet Street through the Bare Root Tree Grant noting the Borough will be requesting 20 trees to plant every year going forward. Mr. Muncert asked Mr. Lingenfelter if he and his staff could clean the dead trees and debris in the Bird Sanctuary.

New Business

A motion was made by Mr. Morgan to approve the 2023 County Aid Application for paving. Motion seconded by Beri. All in favor, motion carried (7-0).

Business Items

A motion was made by Mrs. Speicher to approve ratification of payroll from April 18, 2023, through May 15, 2023, in the amount of \$13,947.80. Motion seconded by Mr. Morgan. Roll call: Mr. Muncert, Mr. Beri, Mr. Burkert, Mr. Pile, Mrs. Speicher, and Mr. Morgan, Mr. Ewald. All in favor. Motion carried (7 - 0).

A motion was made by Mr. Morgan to approve payment of bills from April 18, 2023, through May 15, 2023, in the amount of \$143,105.23. Motion seconded by Mrs. Speicher. Roll call: Mr. Muncert, Mr. Beri, Mr. Burkert, Mr. Pile, Mrs. Speicher, Mr. Morgan, Mr. Ewald in favor. All in favor. Motion carried (7 -0).

A motion was made by Mr. Burkett to approve transfers from April 18, 2023, through May 15, 2023, in the amount of \$74,780.00. Motion seconded by Mrs. Speicher. Roll call: Mr. Muncert, Mr. Beri, Mr. Burkert, Mr. Pile, Mrs. Speicher, Mr. Morgan, Mr. Ewald in favor. All in favor. Motion carried (7 -0).

Mr. Pile had several questions regarding the treasurer's report. A motion was made by Mr. Morgan to approve the April 2023 Treasurer's Report in the amount of \$1,583,903.17. Motion seconded by Mr. Pile. Roll call: Mr. Muncert, Mr. Beri, Mr. Burkert, Mr. Pile, Mrs. Speicher, Mr. Morgan, Mr. Ewald in favor. All in favor. Motion carried (7 -0).

A motion was made by Mr. Pile to accept the Tax Collector's Report for April 2023. Motion seconded by Mr. Morgan. All in favor. motion carried (7-0).

A motion was made by Mr. Ewald to enter an Executive Session for personnel issues at 5:15 p.m. to discuss legal issues. Motion seconded by Mrs. Speicher. All in favor, motion carried (7-0). Executive Session ended at 5:50 p.m. and council resumed its regularly scheduled meeting.

There being no further business, a motion was made by Mr. Beri for adjournment of the May 15, 2023 meeting at 5:50 p.m. Motion seconded by Mr. Morgan. All in favor, motion carried (7-0).

Respectfully submitted,

Debra Riek
Assistant Secretary

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