

BOROUGH OF SOUTHMONT  
148 WONDER STREET  
JOHNSTOWN, PA 15905

MINUTES FOR MAY 16, 2022

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The pledge of allegiance was conducted, and the scheduled May 16, 2022 Council meeting was called to order by President Bill Trevorror at 4:00 p.m.

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**Present:** Council President Bill Trevorror; Council Members Eric Muncert, Doug Beri, Richard Burkert; Herb Ewald, Kevin Pile, and Robert Morgan; Borough Manager Amanda Layton; Solicitor Michael Carbonara; Police Sergeant Michael Beblar; Fire Chief Joel Weslager; Mayor Anthony Keiper; Street Commissioner Harry Lingenfelter, Engineer Todd Banks; Asst. Sec. Debra Riek

**Visitors**

Bob Connelly (106 Arlington Street); Frances and John Mattre (102 Arlington Street); Russell Varnecky (211 Violet Street)

**Public Comment**

Mrs. Frances Mattre addressed council regarding the property at 200 State Street stating she understands action is to be taken on the property for repairs or demolition but in the meantime the debris left from the fire should be cleaned up, the grass should be cut and the property should be boarded up to deter trespassers noting she has contacted local police to report suspicious activity happening at the property. Mrs. Mattre also stated the Firemen's Jubilee is coming up and the property is a blight and unsightly to the public.

Mr. Robert Connelly also wanted to commit about the 200 State Street property. He totally agrees with the Mattres and believes there may be drug activity happening at the property. He has noticed that the garage door was open for a few days and windows were open. Mr. Connelly does not want this property to become a crack house and the borough needs to take action to have it cleaned up if the owner refuses. He would like to see action to clean up the outside of the property immediately until it can be remodeled or demolished. Mr. Trevorror agreed that action needs to be taken.

Solicitor Carbonaro stated that the property owner has submitted permit applications with Mark Walker to make repairs to the property and has given July 1, 2022 as the date for work to begin on the house and have it completed by February 2023. Solicitor Carbonara stated he and Mark Walker agree that the house is most likely not repairable, but the borough still needs to allow Mr. Beatty the chance to make those repairs noting escrow money has been deposited with the borough for demolition of the property if action is not taken. It was decided to have Mark Walker send a letter to Mr. Chirman Beatty, owner of 200 State Street, to have the house boarded up and the outside of the property cleaned.

Mr. Russell Varnecky stated he purchased the property at 211 Violet Street through tax sale with the intent to convert the duplex into a one-family dwelling. Mr. Varnecky stated he was unaware of the past due garbage and sewer maintenance fees on the property and stated he is interested in coming to an agreement with the borough to repay the past due garbage and sewer maintenance fees and request alleviation of a portion of the penalties. Mr. Trevorror ask Mr. Varnecky to send a request in writing to the council with his intentions for the house and his suggestions for repayment of the garbage and sewer maintenance fees.

### **Correspondence**

It was decided to table the requests for single house dwellings for Russell Varnecky, Zachary Craig, and Doug Beri, until proof is received showing the properties have been converted from two sewer taps to one.

### **Bids Opening**

A motion was made by Mr. Morgan to approve the opening of the 2022 paving bids. Motion seconded by Mr. Pile. All in favor, motion carried (7 -0). The 2022 paving bids were as follows: Quaker Sales \$163,437.94 and HRI, Inc. \$177,836.50. A motion was made by Mr. Pile to accept the bid from Quaker Sales Inc. in the amount of \$163,437.94 pending review from Solicitor Carbonara. Motion seconded by Mr. Morgan. All in favor, motion carried (7-0).

A motion was made by Mr. Muncert to move the reports of the Police Chief and the Fire Company report up in the meeting. Motion seconded by Mr. Pile. All in favor, motion carried (7-0).

A motion was made by Mr. Morgan to approve opening the Cheney Run Headwall bids. Motion was seconded by Mr. Pile. All in favor, motion carried (7-0). The Cheney Run Headwall and Concrete Box Project bids were as follows: Mar-Allen Concrete Products \$281,548.00 and Charles Merlo Inc. \$418,000.00. A motion was made by Mr. Morgan to accept the bid from Mar-Allen Company in the amount of \$281,548.00 pending review of Solicitor Carbonara. Motion seconded by Mr. Pile. All in favor, motion carried (7-0).

There was a discussion of opening a line of credit for the Borough. Mr. Trevorrow appointed Mr. Pile and Mr. Muncert to look into a line of credit for approximately \$250,000.00 for the Cheney Run Headwall and Concrete Box Project.

### **Minutes**

A motion was made by Mr. Morgan to approve the April 18, 2022 Council Meeting Minutes. Motion seconded by Mr. Pile. All in favor, motion carried (7-0).

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

Mr. Ewald reported that a white truck in poor condition with a New Jersey license plate has been parked on Arlington Street and needs to be investigated. Mrs. Layton stated she had just given Sergeant Beblar a list of vehicles before the meeting started for them to investigate noting the truck on Arlington Street was on the list.

### **Fire Company Report**

Chief Weslager stated he had nothing to add to his report. Mr. Pile asked that the burning ordinance be reviewed because with the nice weather people are sitting out enjoying fires in the evening and other residents can't have their windows open due to the smoke. Mr. Trevorrow suggested that a committee review the ordinance so the problem will be resolved.

### **Engineer's Report**

Mr. Ewald asked Mr. Banks about his lawn not being corrected since the sewer project. Mr. Banks told Mr. Ewald to get landscaping estimates and submit them to the council due to fact the project was completed over a year ago and the contractors are gone.

Mr. Pile inquired about the number of properties not responding to the excess ground water notices. Mr. Banks stated there are approximately 51 properties that are currently not in compliance and have not submitted a copy of a contract to the borough. Mr. Pile asked if notices could be delivered to the homeowners who have not responded at this time. Mrs. Layton reported certified letters had been sent to homeowners and the borough would be posting notices on the doors of those that have not signed for the certified mail.

**Zoning Officer's Report**

Mr. Walkers report was received. Mr. Pile stated that the borough should not be paying for Mr. Walker to attend a seminar without prior approval. It was agreed that that Mr. Walkers bill be paid minus the fees for the seminar. A motion was made by Mr. Pile to pay the zoning officer's bill after deduction of the seminar fees. Motion seconded by Mr. Morgan. All in favor, motion carried (7-0).

**Street Commissioner's Report**

Mr. Lingenfelter stated the street sweeper is working well at this time and the borough has received a dumpster for the cleanup of the barn area next to Diamond Blvd. Playground. Mr. Pile ask Mr. Lingenfelter to continue to do all the sewer reading at homes still pending, as soon as possible, as weather permits.

**Solicitor's Report**

Solicitor Carbonara he would have discussion in the executive session.

**Borough Manager Report**

Mrs. Layton's report was submitted and accepted.

**Mayor's Report**

Nothing to report.

**Committees:**

**Administration:** Nothing to report.

**Audit:** Nothing to report.

**Ballfield Improvement:** Nothing to report.

**Borough Services:** Mr. Pile will be having a committee meeting to review the burning ordinance. Mr. Pile stated that there are RVs and trailers being parked in front yards noting he would like to review the ordinance and see if we need to make changes.

**Budget/Tax Collection:** Nothing to report.

**Building & Grounds:** Nothing to report.

**Emergency Management:** Nothing to report.

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**GJWA:** Mr. Pile reported the Department of Environmental Protection is moving slowly for the North Fork Dam project.

**Grants:** Nothing to report.

**Insurance:** Nothing to report.

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

**Open Records:** Nothing to report.

**Personnel:** Nothing to report.

**Police:** Mr. Morgan stated that there will be a meeting tomorrow May 17, 2022 and will be having a demonstration of a lenience reader for the police since there are no longer tags of inspection.

**Shade Trees:** There was a committee meeting and Arbor Day will be June 4, 2022, 10:00 a.m. Two trees will be planted in front of the borough in memory of Mr. Richard Rodgers and Mr. William Kory. Mrs. Layton will invite for the families to the ceremony. There are stumps that are being removed on various streets.

**Streets:** Nothing to report.

**Business Items**

A motion was made by Mr. Muncert to approve ratification of payroll from April 19, 2022 through May 16, 2022 in the amount of \$13,471.73. Motion seconded by Mr. Pile. Roll call: Mr. Trevorow, Mr. Muncert, Mr. Beri, Mr. Burkert, Mr. Pile, Mr. Ewald, and Mr. Morgan in favor. Motion carried (7 -0).

A motion was made by Mr. Muncert to approve payment of bills from April 19, 2022 through May 16, 2022 in the amount of \$129,385.21. Motion seconded by Mr. Pile. Roll call: Mr. Trevorow, Mr. Muncert, Mr. Beri, Mr. Burkert, Mr. Pile, Mr. Ewald, and Mr. Morgan in favor. Motion carried (7-0).

A motion was made by Mr. Muncert to approve transfers from April 19, 2022 through May 16, 2022 in the amount of \$60,201.17. Motion seconded by Mr. Pile. Roll call: Mr. Trevorow, Mr. Muncert, Mr. Beri, Mr. Burkert, Mr. Pile, Mr. Ewald, and Mr. Morgan in favor. Motion carried (7-0).

A motion was made by Mr. Pile to approve the April 2022 treasurer's report in the amount of \$1,615,896.42. Motion seconded by Mr. Muncert. Roll call: Mr. Trevorow, Mr. Muncert, Mr. Beri, Mr. Burkert, Mr. Pile, Mr. Ewald, and Mr. Morgan in favor. Motion carried (7-0).

A motion was made by Mr. Pile to approve note the receipt of the April 2022 tax collector's report in the amount of \$238,416.09. Motion seconded by Mr. Muncert. All in favor, motion carried (7-0).

A motion was made by Mr. Morgan to go into executive session regarding legal issues. Motion seconded by Mr. Pile. All in favor, motion carried (7-0).

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An Executive Session was called at 5:20 p.m. to discuss legal issues. Executive Session ended at 6:21 p.m. and the regularly scheduled meeting was resumed.

A motion was made by Mr. Pile to approve the agreement between Westmont and Southmont in regard to the seven residences connected to the Southmont Borough sewer system. Motion seconded by Mr. Morgan. All in favor, motion carried (7-0).

There being no further business, a motion was made by Mr. Pile for adjournment of the May 16, 2022 meeting at 6:22 p.m. Motion seconded by Mr. Morgan. All in favor, motion carried (7-0).

Respectfully submitted,

Debra Riek  
Assistant Secretary