

BOROUGH OF SOUTHMONT  
148 WONDER STREET  
JOHNSTOWN, PA 15905

MINUTES FOR AUGUST 15, 2022

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The pledge of allegiance was conducted, and the scheduled August 15, 2022 Council meeting was called to order by Vice President Eric Muncert at 4:00 p.m.

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**Present:** Council Members Eric Muncert, Doug Beri (Telephone), Richard Burkert, Herb Ewald, Bob Morgan, Kevin Pile, Sheree Speicher, Borough Manager Amanda Layton; Solicitor Michael Carbonara; Police Officer Dean West; Engineer Todd Banks; Mayor Anthony Keiper; Street Commissioner Harry Lingenfelter, Asst. Sec. Debra Riek.

**Absent:** Fire Chief Joel Weslager

**Visitors:** Robert Connelly (106 Arlington St.); Robert Walker (312 State St.); Philip Staib (159 Arlington St.); Etta Albright (Cresson PA – League of Women Voters).

**Public Comment:**

Etta Albright presented information regarding a campaign organized by Fair Districts PA and League of Women Voters known as #FixHarrisburg to change procedural rules for legislative leaders.

Robert Connelly reported there is a hole forming next to the stormwater drain located at State Street and Olive Street. Mr. Lingenfelter stated he will correct the issue this week.

Motion was made by Mrs. Speicher to nominate Eric Muncert as Council President. Motion seconded by Mr. Pile. All in favor, motion carried (7-0).

Motion was made by Mr. Pile to nominate Sheree Speicher as Vice President. Motion seconded by Mr. Muncert. All in favor, motion carried (7-0).

Motion was made by Mr. Pile to nominate Doug Beri as President Pro Tem. Motion seconded by Mrs. Speicher. All in favor, motion carried (7-0).

**Correspondence**

A letter was received from Carol Hickman regarding a vehicle owned by John Klanchar at 104 Dahlia Street that is parked on the street in front of her property at 103 Dahlia Street noting the vehicle blocks access for her to have the grass mowed along there and is an eyesore. Chief Fisher stated Officer Kesslak investigated and determined the vehicle is intact and legally registered noting the only violation is the vehicle is not inspected, which is a moving violation and cannot be ticketed unless it is being driven.

**Minutes**

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

**Police Chief's Report**

Mayor Keiper reported he reviewed a handicapped parking permit for 312 Cheney Oak Drive noting there is an accessible driveway available. Mrs. Speicher noted residents are parking on both sides of Cheney Oak Drive which makes it difficult to get a regular vehicle through so emergency personnel would have issues getting through to McCullough House in the event of an emergency. Mr. Pile suggested Chief Fisher, Chief Weslager and Mayor Keiper look at the area and give council a recommendation on whether Cheney Oak Drive should be no parking on one side. Motion was made by Mrs. Speicher to table the Handicap Parking request for 312 Cheney Oak Drive for further investigation. Motion seconded by Mr. Morgan. All in favor, motion carried (7-0).

Chief Fisher reported the new license plate readers are being installed and citations were up in July due to the officers putting in overtime participating in the county's aggressive driving task force, which was paid for by the county. Chief Fisher also stated they had an off-site inspection and are in compliance with the state.

**Fire Company Report**

Chief Weslager absent. Fire Chief's report was received.

**Engineer's Report**

The Engineer's report would be addressed in the executive session.

**Zoning Officer's Report**

Zoning Officer's report was received. Mr. Walker reported he is working on citing the owner of 723 Diamond Blvd./100 Milton Street for property maintenance violations noting it is owned by an out of state LLC, which the Magistrate won't accept so he needs to do further research to find an actual person to file the citation against.

Mr. Walker reported he didn't realize the borough zoning ordinance requires a minimum 6 ft. fence around swimming pools so he has one that he recently approved that he needs to follow up on and is monitoring the deteriorating parking lot at 939 Menoher Blvd. noting he received a call from a contractor stating they are working on plans for repairs.

Mr. Pile asked Mr. Walker to send a notice to 511 Diamond Street regarding bushes that need trimmed noting they were already sent an initial notice from the borough office and asked if Mr. Walker would look into the vehicles and property maintenance violations at Grimaldi's Garage on Southmont Blvd. Mr. Pile inquired about an RV parked on Diamond Blvd. that has been parked there for weeks. Mrs. Layton stated she notified Chief Fisher of the RV before the meeting.

**Street Commissioner's Report**

Street Commissioner's report was received. Mr. Lingenfelter stated that everything is going smoothly and that they are patching holes at this time.

**Solicitor's Report**

The Solicitor's report would be addressed in executive session.

**Borough Manager Report**

Borough Manager's report was received. Motion was made by Mr. Morgan to approve removal of 200 State Street from the garbage and sewer maintenance records. Motion seconded by Mr. Ewald. All in favor, motion carried (7-0).

Motion was made by Mr. Ewald to approve returning the fire escrow funds held for the demolition of 200 State Street to Farmers Mutual Fire Insurance Co. and close the fire escrow account at Somerset Trust Company. Motion seconded by Mr. Pile. All in favor, motion carried (7-0).

Motion was made by Mr. Pile to table the request to remove Garbage/Sewer Maintenance from R67 Gardner Street until proof of water shut-off is received. Motion seconded by Mr. Muncert. All in favor, motion carried (7-0).

Motion was made by Mr. Ewald to table the request for extension of inflow and infiltration repairs at 205 Violet Street received from Johnstown Redevelopment Authority until more information is received from JRA. Motion seconded by Mr. Pile. All in favor, motion carried (7-0).

Motion was made by Mr. Ewald to approve the proposal from Joe Kanuch Excavating, LLC for the trap removal at 115 Orchard Street in the amount of \$3,200.00. Motion seconded by Mr. Morgan. All in favor, motion carried (7-0).

**Mayor's Report**

Nothing to report. Mr. Keiper brought to the attention of the council that he received a complaint that Cheney Street has many potholes that need to be patched. Mrs. Layton stated that Cox Street is the next street on the list of patching.

**Committees:**

**Administration:** Nothing to report.

**Audit:** Nothing to report. Motion was made by Mr. Pile to advertise the 2021 audit. Motion seconded by Mr. Morgan. All in favor, motion carried (7-0).

**Ballfield Improvement:** Nothing to report.

**Borough Services:** Nothing to report.

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

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

**Emergency Management:** Nothing to report.

**GJWA:** Mr. Pile stated things are moving slowly on the North Fork project noting they are getting information from the Department of Environmental Procedures that more testing is needed.

**Grants:** Nothing to report.

**Insurance:** Nothing to report.

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

**Open Records:** Nothing to report.

**Personnel:** Motion was made by Mr. Pile to approve hiring Joshua Blasko as part-time Public Works Laborer with potential full-time position after 6-month probation period starting at \$11.65 per hour. Motion seconded by Mr. Morgan. All in favor, motion carried (7-0). Motion was made by Mr. Pile to approve hiring John Butler as part-time winter maintenance at \$11.00 per hour. Motion seconded by Mr. Morgan. All in favor, motion carried (7-0).

**Police:** Mr. Morgan stated that there will be a meeting to discuss pensions.

**Shade Trees:** Nothing to report.

**Streets:** Nothing to report.

#### **New/Old Business**

##### **Business Items**

A motion was made by Mr. Pile to approve ratification of payroll from July 19, 2022 through August 15, 2022 in the amount of \$10,361.36. Motion seconded by Mr. Morgan. 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 payment of bills from July 19, 2022 through August 15, 2022 in the amount of \$289,199.63. Motion seconded by Mr. Pile. 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 Mr. Morgan to approve transfers from July 19, 2022 through August 15, 2022 in the amount of \$53,851.00. Motion seconded by Mr. Pile. 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 July 2022 treasurer's report in the amount of \$1,778,666.57. Motion seconded by Mr. Pile. 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. Morgan to accept the Tax Collector's Report for July 2022. Motion seconded by Mr. Pile. All in favor. motion carried (7-0).

Motion made by Mr. Pile to enter into Executive Session at 4:42 p.m. to discuss legal matters with Greater Johnstown Water Authority and Westmont Hilltop School District and enforcement of Inflow and Infiltration. Motion seconded by Mr. Morgan. All in favor, motion carried (7-0).

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Motion made by Mr. Pile to leave executive session and resume the regularly scheduled meeting at 5:47 p.m. Motion seconded by Mr. Morgan. All in favor, motion carried (7-0).

Mr. Banks reported a pre-construction meeting was held with Mar-Allen earlier in the day noting they are planning to start construction within approximately one month with completion expected in four to six weeks.

Mr. Banks provided council with 2022 flow data noting there was only two days with greater than one inch of rain so far. Mr. Banks stated May 6, 2022 had 1.6 inches and June 2, 2022 was 1.22 inches noting neither rain event can be correlated to the two-year storm specified in the consent order.

Motion made by Mr. Pile to approve Resolution 2022-02, designating bank depositories and signators. Motion seconded by Mrs. Speicher. All in favor, motion carried (7-0).

Motion made by Mr. Pile to authorize Solicitor Carbonara to send water shut-off notices to residents that have not completed inflow and infiltration repairs. Motion seconded by Mrs. Speicher. All in favor, motion carried (7-0).

Motion made by Mr. Pile to nominate Sheree Speicher to serve on the Greater Johnstown Water Authority Board. Motion seconded by Mr. Muncert. All in favor, motion carried (7-0).

There being no further business, a motion was made by Mr. Pile for adjournment of the August 15, 2022 meeting at 6:01 p.m. Motion seconded by Mr. Morgan. All in favor, motion carried (7-0).

Respectfully submitted,

Debra Riek  
Assistant Secretary