

BOROUGH OF SOUTHMONT
148 WONDER STREET
JOHNSTOWN, PA 15905

MINUTES FOR APRIL 18, 2022

The pledge of allegiance was conducted, and the scheduled April 18, 2022 Council meeting was called to order by President Bill Trevorror at 4:00 p.m.

Present: Council President Bill Trevorror, Council members Eric Muncert, Doug Beri, Richard Burkert; Herb Ewald, Kevin Pile, Borough Manager Amanda Layton; Solicitor Michael Carbonara; Police Chief Edward Fisher; Fire Chief Joel Weslager; Mayor Anthony Keiper; Street Commissioner Harry Lingenfelter, Asst. Sec. Debra Riek.

Absent: Engineer Todd Banks.

Visitors: Robert Morgan (345 Diamond Blvd.), Robert Walker (312 State St.), Russ O'Reilly (Tribune Democrat), Joni Keiper and Colby Keiper (17 Harding St.), Denise Cooper (205 Violet St.), Lisa Khuri-Hall & Mark Hall (141 Arlington St.), Mark Walker, Zoning Officer.

Solicitor Carbonara requested an executive session be added to the agenda to discuss legal issues regarding the Department of Environmental Protection.

Public Comment

Denise Cooper stated that she was representing her son Brandon Lokesak from 205 Violet Street. Recently a handicapped parking sign was installed in front of 206 Violet Street and Mrs. Cooper explained this is causing limited parking on the street and her son has some physical problems and needs to park close to his home. Mr. Trevorror suggested her son apply for a handicapped parking with the borough to eliminate any problems he may be experiencing. Mrs. Cooper also inquired about the letter her son received about the excess groundwater violation at his 205 Violet St. home noting Mr. Lokesak is in a medical situation at this time and may need additional time to resolve the excess flow problems. Mr. Trevorror explained that it has been two years that the borough has sent out letters and now the problems must be addressed and completed by December 2022. Mr. Trevorror suggested that her son get in touch with a contractor for a commitment to have the work done by the December 2022 completion date and suggested her son could look into local banks that offer low interest loans.

Lisa Khuri-Hull stated there is water runoff in their back yard from Diamond Blvd., which is causing them to have to dig ditches to allow the water to flow off the property. Mrs. Khuri-Hull also noted there had been an open ditch along Squash Alley that was covered over by the borough at one point to help with run-off. Mrs. Khuri-Hull stated the ditch is clogged with leaves and debris, so the water isn't flowing through properly there also. Mr. Trevorror ask Harry Lingenfelter to investigate the problem the Halls are experiencing. Mrs. Khuri-Hull provided suggestions for the area behind the borough sheds along Diamond Blvd. such as a walking trail and also noted the area needs to be cleaned up and cleared of hazardous trees. Mr. Trevorror asked Harry Lingenfelter to investigate the problem and clean up the area in question as soon as possible.

A motion was made by Mr. Muncert to move the appointment of the vacant council position to the beginning of the meeting. Motion was seconded by Mr. Ewald. All in favor, motion carried (6-0).

April 18, 2022 Minutes – Page 2 of 4

A motion was made by Mr. Beri to appoint Mr. Robert Walker to fill the vacant council position. Motion was seconded by Mr. Ewald. Roll Call: Mr. Trevorrow, nay, Mr. Muncert, nay, Mr. Beri, yes, Mr. Pile, nay, Mr. Burkert, nay. Mr. Ewald abstained. Motion failed (4 -1).

A motion was made by Mr. Muncert to appoint Mr. Robert Morgan to fill the vacant council position. Motion seconded by Mr. Pile. Roll Call: Mr. Trevorrow, yes, Mr. Muncert, yes, Mr. Pile, yes, Mr. Beri nay, Mr. Burkert, yes. Mr. Ewald abstained. All in favor, motion carried (4 -1).

Mr. Robert Morgan was sworn into office by Mayor Anthony Keiper to fill the vacant council position.

Minutes

A motion was made by Mr. Muncert to approve the March 21, 2022 Council Meeting Minutes. Motion seconded by Mr. Burkert. All in favor, motion carried (7-0).

Police Chief's Report

Officer Fisher reported that Mr. Thomas Mitchell from Westmont Hilltop School District had gotten in touch with him about the school guard crossing situation. Chief Fisher reported that the lack of police officers for the four-district area is more than they can handle. He informed Mr. Mitchell that two officers would have to volunteer for overtime duty. Chief Fisher stated that due to the lack of police officers they would no longer be able to accommodate the school.

Fire Company Report

A motion was made by Mr. Muncert to approve paying half of the Police Protection for the Fireman's Jubilee. Motion seconded by Mr. Pile. All in favor, motion carried (7 -0).

A motion was made by Mr. Ewald to approve installation of temporary Jubilee Signs in the Borough. Motion seconded by Mr. Pile. All in favor, motion carried (7-0).

Engineer's Report

Mr. Banks was absent. Solicitor Michal Carbonara reported the flow meters are installed as of March 1, 2022. A motion was made by Mr. Ewald to advertise for Cheney Run Headwall Project Bids. Motion seconded by Mr. Burkert. All in favor, motion carried (7 -0). Solicitor Carbonara stated that the Department of Environment Protection has accepted his consent order. Mrs. Layton reported there are 120 residents that still need work done to correct their excess groundwater issues.

Zoning Officer's Report

Mr. Walker reported he denied one home business request noting the resident has 30 days to appeal his ruling, 444 Southmont Blvd. has removed the dilapidated garage, vehicles at 307 Langhorne St have been removed, and a letter was sent to 499 Christine Court regarding garbage cans being left on the sidewalk, and the problem seems to be resolved. Mr. Walker has been in contact with Mr. Beatty about his plans for the rehabilitation of 200 State St. noting the contractor Mr. Joseph Witt has requested a permit and submitted his bid of \$38,000.00 to repair the house, but it does not include labor charges. Mr. Trevorrow suggested that Mr. Walker and Solicitor Carbonara keep in contact with Mr. Beatty to make sure the work will begin in July. Mr. Walker stated that a walk-through needs to be done to see if the house is fixable. Mr. Trevorrow stated that the sewer work for the house has not been completed and must be completed before the house can be sold. The start of work is to begin in June or July.

Mr. Walker reported he had a hearing with the district magistrate for the dilapidated porch at 27 Harding Street noting the porch was removed before the hearing. Mr. Walker argued that the resident was in

April 18, 2022 Minutes – Page 3 of 4

violation of Southmont Borough Ordinances and should be held accountable and stated the District Judge agreed and agreed to fine the resident.

Street Commissioner's Report

Mr. Lingenfelter reported he currently has torn down the old fire company barn located along Diamond Blvd. and is 90% completed with the project. Mr. Lingenfelter stated that he will be needing a part-time season public works person and a potential full time public works position.

Solicitor's Report

Solicitor Carbonara requested an executive session at the end of the meeting to discuss legal issues regarding the Department of Environmental Protection Consent Order and easements for the Cheney Run Headwall Project.

Borough Manager Report

Mrs. Layton's report was submitted and accepted.

Mayor's Report

Nothing to report.

Committees:

Administration: A motion was made by Mr. Muncert to approve advertising for one Part-Time Season Public Works Position and 1 potential Full-Time Public Works Position. Motion seconded by Mr. Burkert. All in favor, motion carried (7-0).

Audit: Nothing to report.

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 GJWA is waiting for a permit from the Department of Environmental Protection for the North Fork Project and the agreement with Westmont Borough and GJWA has been tabled at this time until clarification of the Westmont and Southmont Borough lines and laterals can be investigated.

Grants: A motion was made by Mr. Ewald to approve payment of \$100.00 for the filing of a Flood Mitigation Grant. Motion seconded by Mr. Muncert. All in favor, motion carried (7-0).

Insurance: Nothing to report.

MS4/Stormwater: Nothing to report.

Open Records: Nothing to report.

Personnel: Nothing to report.

Police: Nothing to report.

Shade Trees: Mr. Muncert stated he would be having a committee meeting before next month's Council meeting.

Streets: A motion was made by Mr. Beri to approve advertising for 2022 paving bids. Motion seconded by Mr. Pile. All in favor, motion carried (7-0).

New/Old Business

There was a discussion on the request by Westmont Hilltop School District regarding crossing guards. Mr. Trevorrow asked Solicitor Carbonara to send a letter stating that Southmont Borough Council will not accept the responsibility and cost for the school crossing guards.

Business Items

A motion was made by Mr. Beri to approve ratification of payroll from March 22, 2022 through April 18, 2022 in the amount of \$13,078.18. Motion seconded by Mr. Pile. Roll call: Mr. Trevorrow, 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. Beri to approve payment of bills from March 22, 2022 through April 18, 2022 in the amount of \$128,678.29. Motion seconded by Mr. Pile. Roll call: Mr. Trevorrow, 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. Beri to approve transfers from March 22, 2022 through April 18, 2022 in the amount of \$77,757.00. Motion seconded by Mr. Pile. Roll call: Mr. Trevorrow, 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. Beri to approve the March 2022 treasurer's report in the amount of \$1,508,594.11. Motion seconded by Mr. Burkert. Roll call: Mr. Trevorrow, 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. Beri to approve note the receipt of the March 2022 tax collector's report in the amount of \$95,317.20. Motion seconded by Mr. Burkert. All in favor, motion carried (7-0).

An Executive Session was called at 5:35 p.m. to discuss issues regarding the Department of Environmental Protection. Executive Session ended at 5:45 p.m. and the regularly scheduled meeting was resumed.

There being no further business, a motion was made by Mr. Morgan for adjournment of the April 18, 2022 meeting at 5:45 p.m. Motion seconded by Mr. Muncert. All in favor, motion carried (7-0).

Respectfully submitted,

Debra Riek
Assistant Secretary