

BOROUGH OF SOUTHMONT
148 WONDER STREET
JOHNSTOWN, PA 15905

MINUTES FOR JULY 15, 2024

The pledge of allegiance was conducted, and the scheduled July 15, 2024, council meeting was called to order by President Beri at 4:00 p.m.

Present: Mayor Anthony Keiper, Council Members Doug Beri, Sheree Speicher, Robert Morgan, Richard Burkert, Eugene Kupchella, Herb Ewald, Borough Manager Amanda Layton; Street Commissioner Sam McAdams, Sgt. William “B.J.” Newman, Fire Chief Steve Costic, Engineer Todd Banks, and Asst. Sec Debra Riek.

Absent: Council Member Matthew McVicker

Visitors: John A. Klanchar (104 Dahlia Street), Robert Walker (312 State Street), Mark Hull & Lisa Khuri-Hull (141 Arlington Street)

Public Comments:

Mrs. Khuri-Hull and Mr. Hull addressed the council regarding the wooded area behind her property and the Diamond Blvd. Playground barns as well as Squash Alley and asked what the borough planned to do in the future to resolve the issue of the unpaved alley and run-off from the wooded area. Mr. Beri stated the Property Maintenance and Street Committee would be meeting in the near future and would look at the area to discuss potential plans.

Mr. Klanchar stated he believes the residents at 117 Dahlia Street illegally built a brick and mortar flower bed in the front of the property without a building permit and believes they were given special treatment since it is Mr. Ewald’s property.

Minutes

A motion was made by Mr. Morgan to approve the council meeting minutes of June 17, 2024. Motion seconded by Mr. Burkert. Mr. McVicker absent. All in favor, motion carried (6-0).

A motion was made by Mr. Morgan to approve the June 18, 2024 Community Planning & Improvements Committee meeting minutes. Motion seconded by Mr. Burkert. Mr. McVicker absent. All in favor, motion carried (6-0).

A motion was made by Mr. Morgan to approve the July 9, 2024 Personnel Committee meeting minutes. Motion seconded by Mr. Kupchella. Mr. McVicker absent. All in favor, motion carried (6-0).

Police Report

The June 2024 Police Chief’s Report was received. Chief Newman stated that 457 calls were received for the month of June with 93 of those calls being for Southmont Borough.

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Fire Company Report

The June 2024 Fire Chief's Report was received. Mrs. Speicher asked is there is enough room for the emergency vehicles to respond to McCullough House on Cheney Oak Drive due to parking and Chief Costic stated they haven't had any issues.

Engineer's Report

Mr. Banks reported the flow meters are still out, but with the little rain recently there are no reports and noted the annual MS4 meeting will need to be scheduled before the end of the year. Mr. Banks stated their office ran a camera on Arlington Street per a request from Mr. McAdams and found where the line was severed.

Zoning Officer's Report:

The June 2023 Zoning Officer's Report and Property Maintenance Report were received.

Solicitor's Report

Solicitor Hochfeld stated he will speak with Laurel Municipal Inspection Agency regarding how to possibly work around the properties owned by LLC's that don't have a person of contact on file for charges to be filed against noting charges are required to be filed against a person and can't be filed against a company. Solicitor Hochfeld will also request updates be sent to the borough after Magistrate hearings are held.

Street Commissioner's Report

The Street Commissioner's Report was received and is on file. Mr. McAdams stated he had requested estimates from several companies for the work to be done on Arlington Street to repair the stormwater line that was damaged during the sewer project noting one estimate was received from Snyder Excavating in the amount of \$5,550.00. A motion was made by Mr. Morgan to approve the estimate from Snyder Excavating in the amount of \$5,550.00. Motion seconded by Mrs. Speicher. Mr. McVicker absent. All in favor, motion carried (6-0).

Mr. McAdams stated one estimate was received from Easton Excavating in the amount of \$3,482.00 for repairs to the offset at the sewer lateral connection at 1015 Menoher Blvd. A motion was made by Mr. Morgan to approve the estimate from Easton Excavating in the amount of \$3,482.00. Motion seconded by Mrs. Speicher. Mr. McVicker absent. All in favor, motion carried (6-0).

Borough Manager Report

The Borough Manager's Report was received and is on file. Mrs. Layton reported the pressure test for 521 State Street was filed under the wrong property so they are in compliance. Mrs. Layton stated the borough office received several complaints regarding rats on Shady Lane and requested Bushey's Wildlife Removal inspect the area to find the cause, noting a large amount of bird seed was found as the food source at 54 Shady Lane. Mrs. Layton stated a letter was sent to the property owner requesting the bird seed be removed.

Mayor's Report:

Mayor Keiper stated Mr. Sean Kelly requested a copy of the letter regarding the borough's inability to move the no parking area at the intersection of Logan Street and Shady Lane noting the borough office had sent another copy of the letter earlier last week.

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Committees:

Administration/Borough Services: Nothing to report.

Community Planning & Improvements: Mr. Burkert reported that applications from interested parties for the comprehensive plan are due in September noting six contractors have shown interest so far. Mr. Burkert stated the County Planning Commission has asked each municipality to designate one member to appoint to the committee to review and select a contractor who will design the comprehensive plan.

Emergency Management: Nothing to report.

Finance: Mrs. Speicher reported a budget committee meeting is scheduled for July 30, 2024 at 4:00 p.m. to begin reviewing needs for the 2025 budget and requested all committee chairs submit a list of needs to Mrs. Layton by August 1, 2024.

Greater Johnstown Water Authority: Nothing to report.

MS4/Stormwater: Mrs. Speicher stated the committee will schedule the annual public meeting before the end of the year noting they are usually held during a council meeting in November or December.

Personnel: Mr. Beri reported a committee meeting was held to review and update the current job descriptions and discuss performing quarterly employee evaluations. A motion was made by Mrs. Speicher to approve quarterly employee performance reviews. Motion seconded by Mr. Morgan. Mr. McVicker absent. All in favor, motion carried (6-0).

Police: Nothing to report.

Property Maintenance, Streets and Sidewalks: Mr. McVicker absent. Mrs. Layton reported a committee meeting is scheduled for August 6, 2024 at 4:00 p.m.

Shade Tree: Mrs. Layton reported a hazardous tree and two stumps were being removed by Tree Expert at 117 Leila Street per an agreement made with the property owner before the new ordinance was in place.

New Business:

Solicitor Hochfeld stated he spoke with Mr. Banks regarding a stormwater run-off issue at 511 Edward Street noting it was agreed that the issue is not due to any wrongdoing of the borough and is a private matter noting there is no basis for the borough to covers costs to diver the water directly to the stormwater line along Edward Street. A motion was made by Mrs. Speicher to deny a request from 511 Edward Street for the borough to pay for costs associated with diverting stormwater runoff from the property under the sidewalk and tying directly to the stormwater line along Edward Street. Motion seconded by Mr. Morgan. Mr. McVicker absent. All in favor, motion carried (6-0).

Solicitor Hochfeld reported Tom Mitchell from the Westmont Hilltop School District reached out regarding Greater Johnstown Water Authority contacting them about payment of water service at the soccer field along State Street. Solicitor Hochfeld stated the Southmont Volunteer Fire Company covers their own utilities at the Jubilee building and he has reviewed the lease which has no mention of utilities noting the lease does state that the school district is responsible for maintenance and repairs. A motion was made by Mrs. Speicher to approve Solicitor Hochfeld to send correspondence stating that Westmont Hilltop School District will be responsible for all utilities at the soccer field along State Street as they are responsible for

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maintenance and repairs. Motion seconded by Mr. Morgan. Mr. McVicker absent. All in favor, motion carried (6-0).

A motion was made by Mr. Ewald to add a tickler list to the monthly agenda. Motion died for lack of a second. Mr. Beri requested Mrs. Layton add a tickler list in the council meeting packet instead.

Mrs. Layton reported a request was received from the owner of 1015/1017 Luzerne Street noting the owner is being charged a non-compliance fee from Greater Johnstown Water Authority for not having a pressure test on file. Mrs. Layton stated that under Southmont's rules the property was not identified as contributing excess flow and therefore was not required to provide a pressure test of compliance. Mrs. Layton stated there is an agreement in place with Westmont Borough for several properties across the street that connect directly to a Westmont Borough line that allows them to be under Southmont Borough rules and regulations and also provides for several Westmont Borough properties that are tied directly to Southmont Borough lines to continue under Westmont Borough rules and regulations. Mrs. Layton stated 1015/1017 Luzerne Street and the surrounding properties were not included in that agreement because they connect directly to a Southmont Borough line that eventually runs to a Westmont Borough line. Mrs. Layton stated the surrounding properties are not receiving the non-compliance fee as they have already provided pressure tests. Solicitor Hochfeld stated he will contact Greater Johnstown Water Authority regarding the possibility of amending the agreement. A motion was made by Mrs. Speicher to table the issue. Motion seconded by Mr. Morgan. Mr. McVicker absent. All in favor, motion carried (6-0).

Business Items

A motion was made by Mrs. Speicher to approve ratification of payroll from June 18, 2024 through July 15, 2024 in the amount of \$13,040.04. Motion seconded by Mr. Morgan. Mr. McVicker absent. Roll call: Mr. Beri, Mr. Burkert, Mr. Morgan, Mrs. Speicher, Mr. Kupchella, and Mr. Ewald in favor. Motion carried (6-0).

A motion was made by Mrs. Speicher to approve payment of bills from June 18, 2024 through July 15, 2024 in the amount of \$137,697.85. Motion seconded by Mr. Morgan. Mr. McVicker absent. Roll call: Mr. Beri, Mr. Burkert, Mr. Morgan, Mrs. Speicher, Mr. Kupchella, and Mr. Ewald in favor. Motion carried (6-0).

A motion was made by Mrs. Speicher to approve transfers from June 18, 2024 through July 15, 2024 in the amount of \$89,326.00. Motion seconded by Mr. Morgan. Mr. McVicker absent. Roll call: Mr. Beri, Mr. Burkert, Mr. Morgan, Mrs. Speicher, Mr. Kupchella, and Mr. Ewald in favor. Motion carried (6-0).

A motion was made by Mrs. Speicher to approve the June 2024 Treasurer's Report. Motion seconded by Mr. Burkert. Mr. McVicker absent. All in favor, motion carried (6-0).

A motion was made by Mrs. Speicher to accept the June 2024 Tax Collection's Report. Motion seconded by Mr. Burkert. Mr. McVicker absent. All in favor, motion carried (6-0).

A motion was made by Mrs. Speicher to enter into Executive Session for personnel reasons at 5:10 p.m. Motion seconded by Mr. Kupchella. Mr. McVicker absent. All in favor, motion carried (6-0). Executive Session ended at 5:27 p.m. and council resumed its regularly scheduled meeting.

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There being no further business, a motion was made by Mrs. Speicher for adjournment of the July 15, 2024, meeting at 5:27 p.m. Motion seconded by Mr. Kupchella. Mr. McVicker absent. All in favor, motion carried (6-0).

Respectfully Submitted,

Debra Riek
Assistant Secretary