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BOROUGH OF SOUTHMONT
148 WONDER STREET
JOHNSTOWN, PA 15905

MINUTES FOR DECEMBER 09, 2024

The pledge of allegiance was conducted, and the scheduled December 09, 2024, meeting was called to order by President Doug Beri at 4:00 p.m.

Present: Council Members Doug Beri, Sheree Speicher; Robert Morgan, Eugene Kupchella, Richard Burkert; Solicitor Michael Sahlaney; Borough Manager Amanda Layton; Street Commissioner Sam McAdams; Asst. Sec. Debra Riek.

Absent: Council Member Matthew McVicker, Herb Ewald; Police Chief William (B.J.) Newman; Fire Chief Steve Costic.

Visitors: Rob & Jennifer Forcey (174 Floyd Street), John G. Klanchar (Addison PA), John A. Klanchar (104 Dahlia Street), Chris Sawyer (Stiffler McGraw & Associates)

Public Comment

John A. Klanchar commended Street Commissioner Sam McAdams for doing a great job during the latest snowstorm. Mr. Klanchar stated that he is asking for himself and his father for a new payment plan for garbage and sewer maintenance fees with late fees removed noting it is difficult for the payment to be made on time under the current agreement.

John G. Klanchar asked the council to consider reevaluating his garbage and sewer maintenance payment agreement noting he is asking for a new plan and late penalties to be removed. Solicitor Sahlaney stated it would be discussed in the executive session.

Mr. Forcey was inquiring about an exemption from the sewer lateral requirements due to the high cost of repairing the sewer lateral noting his house is a mid-century modern built in 1952 with radiant heat in the basement floor. Mr. Forcey stated they have applied for funding through the Johnstown Redevelopment Authority and only received one estimate through Z&B Hauling and Excavating noting it would be approximately \$52,000 to make the necessary repairs and replace the radiant heat flooring. Mr. Forcey noted that his real estate agent made it seem as though interior sewer work would not be required when purchasing the house in August 2020 and noted they have since incurred costs installing french drains to try to solve the issue. Attorney Sahlaney informed Mr. Forcey this would be discussed in the executive session at the end of the meeting.

Minutes

A motion was made by Mrs. Speicher to approve the November 18, 2024 council meeting minutes. Motion seconded by Mr. Morgan. Mr. McVicker and Mr. Ewald absent. All in favor, motion carried (5-0).

A motion was made by Mr. Morgan to approve November 26, 2024 Personnel Committee Meeting Minutes. Motion seconded by Mr. Burkert. Mr. McVicker and Mr. Ewald absent. All in favor, motion carried (5-0).

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Police Chief's Report

Chief Newman absent. The November 2024 Police Chief's Report was received and is on file.

Fire Company Report

Chief Costic absent. The November 2024 Fire Chief's Report was received and is on file.

Engineer's Report

A motion was made by Mr. Morgan to approve the 2025 Engineering Services Agreement. Motion seconded by Mrs. Speicher. Mr. McVicker and Mr. Ewald absent. All in favor, motion carried (5-0).

Solicitor's Report

Attorney Sahlaney reported that a letter was sent on December 2, 2024 to Elizabeth Shaffer at Laurel Municipal Inspection Agency regarding the issue with no movement on several outstanding property maintenance violations, but there has been no response yet. Attorney Sahlaney stated the borough is required to provide at least 90 days' notice prior to the end of the current agreement term, which ends in February so the borough would have to send notice prior to October 2025 to send notice. Mrs. Speicher stated the borough may want to look into other alternatives in the meantime.

Street Commissioner's Report

The November 2024 Street Commissioner's Report was received and is on file.

Borough Manager's Report

The November 2024 Borough Manager's Report was received and is on file.

Mayor's Report

Nothing to report.

Committees:

Streets: Nothing to report.

Administration: Nothing to report.

Community Planning & Improvement:

Mr. Beri stated there will be a meeting on December 17, 2024 to review the draft Active Transportation Plan.

Mr. Burkert reported that the Cambria County Planning Commission has received a grant for \$37,500 from the DCED MAP program for the West Hills Region Comprehensive Plan.

Emergency Management: Nothing to report.

Finance: Nothing to report.

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GJWA:

Mr. Kupchella reported that the Greater Johnstown Water Authority has renewed their management contract with RDM noting it includes the ability for them to replace lead water lines. Mr. Kupchella stated the current required lead water line replacement deadline from DEP is 10 years and noted they will be working with Peoples Gas Company to coordinate street openings so additional digging will not be required.

MS4/Stormwater

Mrs. Speicher commended Mrs. Layton for updating the Public Education & Outreach Program for the borough. A motion was made by Mrs. Speicher to approve the updates to Public Outreach & Education Program. Motion seconded by Mr. Burkert. Mr. McVicker and Mr. Ewald absent. All in favor, motion carried. (5-0).

Mrs. Speicher stated that Stiffler McGraw & Associates have begun work to create a new map of the borough stormwater lines. Mr. Sawyer stated the state stormwater management program consists of six minimum control measures designed to reduce discharge of pollutants from the MS4 system to comply with the requirements of the Clean Water Act. Mr. Sawyer noted that by updating the Public Outreach & Education Program annually and advertising the meeting for public involvement the borough satisfies the requirements of the first two minimum control measures of public education and public involvement. Mr. Sawyer stated the third minimum control measure deals with illicit discharge, which the borough is currently working on by updating the stormwater maps noting after the map is completed they will need to establish observation points to inspect and record outfalls. Mr. Sawyer noted the fourth and fifth minimum control measures are for construction and post construction, which would be handled by the building code enforcement. Mr. Sawyer stated the sixth minimum control measure deals with municipal operations noting the last DEP inspection was in 2018 and the borough needs to keep documentation of items such as street sweeping for the inspection and also requires at least one employee training per year, which can be done in-house via online videos noting documentation is key.

Personnel:

Mr. Beri stated that the committee met and reviewed the employee quarterly reports.

Police:

Nothing to report.

Property Maintenance, Streets & Sidewalks:

Mr. McVicker was absent. Mr. Beri stated the committee met to discuss priorities for the upcoming quarter and are working on updating the sidewalk ordinance.

Shade Tree:

Mr. Burkert reported that the borough does not currently have funds available for \$10,000 toward a match grant through DCNR noting he is working with Barb Hauge of UpStreet Architects to complete the application and find outside funding for the match. Mr. Burkert stated he believes hiring an arborist to evaluate street trees would be helpful and advantageous for the borough.

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Business Items

A motion was made by Mrs. Speicher to approve the 2025 final budget. Motion seconded by Mr. Burkert. Mr. McVicker and Mr. Ewald absent. All in favor, motion carried (5-0).

A motion was made by Mrs. Speicher to advertise the 2025 final budget. Motion seconded by Mr. Burkert. Mr. McVicker and Mr. Ewald absent. All in favor, motion carried (5-0).

A motion was made by Mrs. Speicher to approve Ordinance No. 552, setting the 2025 tax rate. Motion seconded by Mr. Kupchella. Mr. McVicker and Mr. Ewald absent. All in favor, motion carried. (5-0).

A motion was made by Mrs. Speicher to approve Ordinance No. 553, setting the 2025 garbage fee. Motion seconded by Mr. Kupchella. Mr. McVicker and Mr. Ewald absent. All in favor, motion carried (5-0).

A motion was made by Mrs. Speicher to approve the 2025 Meeting Schedule. Motion seconded by Mr. Burkert. Mr. McVicker and Mr. Ewald absent. All in favor, motion carried (5-0).

A motion was made by Mrs. Speicher to approve Resolution 2024-03, amending the fee schedule. Motion seconded by Mr. Burkert. Mr. McVicker and Mr. Ewald absent. All in favor, motion carried (5-0).

A motion was made by Mrs. Speicher to approve ratification of payroll from November 19, 2024 through December 9, 2024 in the amount of \$7,199.81. Motion seconded by Mr. Morgan. Roll call: Mr. Beri, Mr. Kupchella, Mr. Morgan, Mrs. Speicher, Mr. Burkert. Mr. McVicker and Mr. Ewald absent. All in favor, motion carried (5-0).

A motion was made by Mrs. Speicher to approve payment of bills from November 19, 2024 through December 9, 2024 in the amount of \$103,918.38. Motion seconded by Mr. Kupchella. Roll call: Mr. Beri, Mr. Kupchella, Mr. Morgan, Mrs. Speicher and Mr. Burkert. Mr. McVicker and Mr. Ewald absent. All in favor, motion carried (5-0).

A motion was made by Mrs. Speicher to approve transfers as presented from November 19, 2024 through December 9, 2024 in the amount of \$49,444.00. Motion seconded by Mr. Burkert. Roll call: Mr. Beri, Mr. Kupchella, Mr. Morgan, Mrs. Speicher and Mr. Burkert. Mr. McVicker and Mr. Ewald absent. All in favor. Motion carried (5-0).

A motion was made by Mrs. Speicher to approve the November 2024 treasurer's report. Motion seconded by Mr. Kupchella. Roll call: Mr. Beri, Mr. Kupchella, Mr. Morgan, Mrs. Speicher and Mr. Burkert. Mr. McVicker and Mr. Ewald absent. All in favor. Motion carried (5-0).

A motion was made by Mrs. Speicher to enter into Executive Session for legal matters at 4:49 p.m. Motion seconded by Mr. Kupchella. Mr. McVicker and Mr. Ewald absent. All in favor, motion carried (5-0). Executive Session ended at 5:17 p.m. and council resumed its regularly scheduled meeting.

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A motion was made by Mrs. Speicher to table the request for exception from sewer requirements from Rob & Jennifer Forcey until the January monthly meeting for further review and to extend their 8-month compliance deadline by one month. Motion seconded by Mr. Morgan. Mr. McVicker and Mr. Ewald absent. All in favor. Motion carried (5-0).

A motion was made by Mrs. Speicher to table the request for an updated payment plan from John G. Klanchar for further review. Motion seconded by Mr. Kupchella. Mr. McVicker and Mr. Ewald absent. All in favor. Motion carried (5-0).

Council noted that they agree to have Solicitor Hochfeld represent Southmont Borough at the Zoning Hearing Board Appeal of Stefan Hanevig and Christina Shaw.

There being no further business, a motion was made by Mr. Burkert for adjournment of the December 9, 2024 meeting at 5:25p.m. Motion seconded by Mr. Kupchella. Mr. McVicker and Mr. Ewald absent. All in favor. Motion carried (5-0).

Respectfully Submitted,

Debra Riek
Assistant Secretary