

BOROUGH OF SOUTHMONT  
148 WONDER STREET  
JOHNSTOWN, PA 15905

MINUTES FOR APRIL 15, 2024

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

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**Present:** Council Members Doug Beri, Sheree Speicher, Herb Ewald, Bob Morgan, Eugene Kupchella; Matthew McVicker, Borough Manager Amanda Layton; Police Chief William “B.J.” Newman; Solicitor Eric Hochfeld; Deputy Chief Ed Burkett; Street Commissioner Sam McAdams; Asst. Sec Debra Riek

**Absent:** Council Member Richard Burkert, Mayor Anthony Keiper, Engineer Todd Banks

**Visitors:** Robert Walker (312 State St.); John A. Klanchar (104 Dahlia St.), Lary Koval (336 Orchard St.)

**Public Comment:**

Mr. Koval stated the inlet at the top of Orchard Street and Olive Street is blocked causing pooling of water at the end of the driveway at 324 Orchard Street and asked if the borough could try to resolve the problem. Mr. Koval also stated he hoped that recent rain events provided enough rain to finish the re-inspections for excess groundwater.

Mr. Walker asked if borough employees were checking for new construction throughout the borough to confirm whether or not a permit was obtained noting a recent illegal fence that was installed at 201 Leila Street.

Mr. Klanchar inquired if the top of Leon Street from Violet Street to Goucher Street is located in Southmont. Mr. McAdams informed him that portion of Leon Street is in Upper Yoder Township. Mr. Klanchar asked if Upper Yoder could be made aware of large potholes on that portion of Leon Street.

**Correspondence Received**

Correspondence was received from The Boulevard Grill & Warehouse informing council they intend to continue the beautification of the Menoher Blvd. and Barnett Street parkette as they have done in the past few years noting they will be partnering with local resident Chris Watkins, owner of Watkins Security. Mrs. Speicher asked that a thank you letter be sent to The Boulevard Grill & Warehouse and Watkins Security.

**Bids:**

A motion was made by Mrs. Speicher to approve opening the 2024 Grass Cutting Bids. Motion seconded by Mr. Morgan. Mr. Burkert absent. All in favor, motion carried (6-0). One bid was received from W.B. Landscaping for cutting the Municipal Building, Menoher Blvd. triangle, Diamond Blvd. Playground, Bird Sanctuary, and Cheney Oak Drive Pond for a total of \$320.00 per cut.

A motion was made by Mr. Morgan to accept the Grass Cutting Bid from W.B. Landscaping at \$320 per cut. Motion seconded by Mrs. Speicher. Mr. Burkert absent. All in favor, motion carried (6-0).

**Minutes**

A motion was made by Mr. Ewald to not approve the meeting minutes of April 15, 2024, until changes were made because the minutes did not reflect what he believed to have transpired at the April 15<sup>th</sup> meeting. Motion died for lack of a second motion. A discussion was held amongst Council regarding what Mr. Ewald thought the minutes should reflect.

A motion was made by Mrs. Speicher to accept the meeting minutes of April 15, 2024. Motion seconded by Mr. Kupchella. Mr. Ewald opposed. Mr. Burkert absent. Motion carried (5-0).

**Police Chief's Report**

The March 2024 Police Chief's Report was received. Chief Newman stated that 419 calls were received in the month of March noting 77 of the calls received were for Southmont Borough including 20 traffic citations and 16 warrants.

**Fire Company Report**

The March 2024 Fire Chief's Report was received. Deputy Chief Burkett reported 26 calls for the month of March and 61 calls for the year so far. Deputy Chief Burkett reported two members of the fire company attended their annual Hazmat Refresher class and the fire company held an in-house training on a hose attachment that would slide underneath an electric vehicle in order to cool the batteries if on fire. Also, members attended a tour of Westmont Hilltop School District high school held by Upper Yoder Township and were also dispatched to a structure fire in Richland Township. Deputy Chief Burkett stated that members attended the funeral of lifelong member Ron Kautz noting that Engine 26 and Rescue 26 had the honor of escorting Mr. Kautz to Grandview Cemetery.

A motion was made by Mr. Ewald to approve paying half of the Jubilee Police Protection. Motion seconded by Mr. Morgan. Mr. Burkert absent. All in favor, motion carried (6-0).

Deputy Chief Burkett requested an addition to the agenda reporting there is an issue with the fire company garage bay door opener and Raynor provided a quote today of \$2,000.00 for the replacement of the garage door opener noting the unit is over 30 years old so it could not be repaired. Council questioned if the door could be opened manually if the opener would completely fail before the next monthly meeting. Deputy Chief Burkett stated the door could be opened manually, but it would cut critical time from responding to an emergency. A motion was made by Mrs. Speicher to add the approval of a new garage door opener to the agenda due to safety concerns and a present danger to life and property. Motion seconded by Mr. Morgan. Mr. Burkert absent. All in favor, motion carried (6-0). A motion was made by Mr. Ewald to approve payment of \$2,000.00 for Raynor Garage Doors to install a new garage door opener. Motion seconded by Mrs. Speicher. Mr. Burkert absent. All in favor, motion carried (6-0).

**Engineer's Report**

Mr. Banks absent. Mr. McAdams reported that he completed reinspecting the list of 16 properties that were awaiting a reinspection for excess groundwater during a recent wet weather event on April 2, 2024, noting that 5 of the 16 failed the inspection. Mrs. Layton reported the borough office will send out notices to the five properties informing them they failed and will need to complete the necessary repairs to remove the excess ground water.

**Zoning Officer's Report**

The March 2024 Zoning Officer's Report was received.

**Solicitor's Report**

Solicitor Hochfeld reported that he spoke with David Church of Cambria County Building Code Enforcement Agency/Laurel Municipal Inspection Agency stating the issue they are having with following through on property maintenance issues is due to the courts not accepting citations without proper identifying information, which can only be obtained through access to criminal history records or PA Department of Transportation records, which they do not have access to. Solicitor Hochfeld noted that he spoke with Chief Newman about the issue and he has agreed to file the citations for property maintenance violations and subpoena CCBEA/LMIA once a hearing has been scheduled. Solicitor Hochfeld noted that CCBEA/LMIA will still issue investigate violations and send initial notices and will then provide West Hills Regional Police with the necessary information to file a criminal citation for non-compliance.

A motion was made by Mrs. Speicher to approve a letter drafted by Solicitor Hochfeld directed to Laurel Municipal Inspection Agency/Cambria County Building Code Enforcement Agency advising them of the new process. Motion seconded by Mr. Morgan. Mr. Burkert absent. All in favor motion carried (6-0).

A motion was made by Mrs. Speicher to approve advertising Ordinance No. 551 providing for filing municipal liens and authorizing recovery of costs in connection with the collection of delinquent accounts. Motion seconded by Mr. Morgan. Mr. Burkert absent. All in favor motion carried (6-0).

**Street Commissioner's Report**

Mr. McAdams reported the crew will be working on temporary patching some potholes this week after they are done picking up and chipping branches from the recent storm and will also be digging holes and planting the 20 bare root trees we received. Mr. Beri requested the crew pick up limbs and wait to chip them later in order to take advantage of the nice weather and work on patching. Mr. Ewald requested that the crew not use the street sweeper to clean off inlets because it just pushes the debris into the inlet. A brief discussion was held regarding the inlet that Mr. Koval mentioned at the top of Orchard Street. Mr. McAdams stated the inlet is one that was cut off during the sewer project, so it does not drain to the stormwater system. Mr. Beri inquired if we could connect the inlet to another nearby inlet and Mr. Ewald inquired if Mr. McAdams could remove the inlet and pave over it if it's not connected to anything. Mr. Ewald stated that Mr. McAdams reports reflect that inlets are being cleaned, but he has noticed an inlet at Daisy Street and Dell Street that has had the same stone for several weeks. Mr. Beri requested that Mr. McAdams detail in his monthly reports which inlets are being cleaned and to take the street sweeper up to the grates, but not over them.

**Borough Manager Report**

Mrs. Layton reported PennDOT will be coming to the borough on April 19th to review the list of streets prepared by the Street Committee and to prepare the 2024 paving documents to be bid out. Mrs. Layton requested a special meeting the following week to have the paving bids approved to be advertised, which will then be opened and approved at the regular May meeting. A motion was made by Mrs. Speicher to approve a Special Meeting on Wednesday, April 24, 2024, at 4:00 p.m. Motion seconded by Mr. Morgan. Mr. Burkert absent. All in favor, motion carried (6-0).

**Mayor's Report**

Mayor Keiper absent. Nothing to report.

**Committees:**

**Administration:** Nothing to report.

**Community Planning & Improvement:** Mr. Burkert absent. Nothing to report.

**Emergency Management:** Mr. Keiper absent. Nothing to report.

**Finance:** Nothing to report. Mrs. Layton stated she just received the 2023 audit and will set up a meeting with Kotzan & Associates to review with the committee.

**GJWA:** Mr. Kupchella reported that work is continuing on North Fork Dam and GJWA is waiting for final approval to get the Westmont water tank operational.

**MS4/Stormwater:** Mrs. Speicher reported that Alex Ashcom is no longer with the City of Johnstown so the multi-municipal MS4/Stormwater meetings have fallen by the wayside for now so we are just waiting on any future federal mandates to provide regulations on what will need to be done with the stormwater systems.

**Personnel:** Nothing to report.

**Police:** Nothing to report.

**Property Maintenance and Streets:** Mr. McVicker stated he will be setting up a meeting next week to discuss items to be completed and put them in order of what needs done first.

**Shade Trees:** Mr. Burkert absent. Mrs. Layton reported Southmont Borough hosted one of the pick-up sites for bare root trees noting Grandview Cemetery allowed the use of their vacant parking lot along Menoher Blvd. on April 11<sup>th</sup> and the Public Works Department will be working on planting the 20 red maples that we received this year.

**Business Items**

A motion was made by Mr. Morgan to approve ratification of payroll from March 19, 2024, through April 15, 2024, in the amount of \$12,767.92. Motion seconded by Mrs. Speicher. Roll call: Mr. Beri, Mrs. Speicher, Mr. Morgan, Mr. Ewald, and Mr. Kupchella, Mr. McVicker. Mr. Burkert absent. All in favor. Motion carried (6 -0).

A motion was made by Mr. Morgan to approve payment of bills March 19, 2024, through April 15, 2024, in the amount of \$136,777.49. Motion seconded by Mrs. Speicher. Roll call: Mr. Beri, Mrs. Speicher, Mr. Morgan, Mr. Ewald, Mr. Kupchella and Mr. McVicker. Mr. Burkert absent. All in favor. Motion carried (6 -0).

A motion was made by Mrs. Speicher to approve transfers from March 19, 2024, through April 15, 2024, in the amount of \$88,512.00. Motion seconded by Mr. Kupchella. Roll call: Mr. Beri, Mrs. Speicher, Mr. Morgan, Mr. Ewald, Mr. Kupchella and Mr. McVicker. Mr. Burkert absent. All in favor. Motion carried (6 -0).

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A motion was made by Mrs. Speicher to approve the March 2024 Treasurer's Report. Motion seconded by Mr. Morgan. Roll call: Mr. Beri, Mrs. Speicher, Mr. Morgan, Mr. Ewald, Mr. Kupchella, Mr. McVicker. Mr. Burkert absent. All in favor. Motion carried (6 -0).

There being no further business, a motion was made by Mrs. Speicher for adjournment of the April 15, 2024, meeting at 5:01 p.m. Motion seconded by Mr. Morgan. Mr. Burkert absent. All in favor, motion carried (6-0).

Respectfully submitted,

Debra Riek  
Assistant Secretary