

BOROUGH OF SOUTHMONT  
148 WONDER STREET  
JOHNSTOWN, PA 15905

MINUTES FOR MAY 20, 2024

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The pledge of allegiance was conducted, and the scheduled May 20, 2024, council meeting was called to order by President Beri at 4:00 p.m.

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**Present:** Council Members Doug Beri Sheree Speicher, Robert Morgan (4:12 p.m.), Richard Burkert, Eugene Kupchella, Herb Ewald, Matthew McVicker, Borough Manager Amanda Layton; Street Commissioner Sam McAdams; Sgt. William “B.J.” Newman, Fire Chief Steve Costic, Engineer William Sauserman, Asst. Sec Debra Riek

**Absent:** Fire Chief Steve Costic

**Visitors:** John A. Klanchar (104 Dahlia Street), Lary Koval (336 Orchard Street)

**Public Comments:** Mr. Koval stated that the sewer flow rates were not reported at the previous meeting, and he was hoping that there would be a report this month.

**Bids:**

A motion was made by Mrs. Speicher to open the 2024 paving bids. Motion seconded by Mr. Burkert. All in favor, motion carried (7-0).

Mrs. Layton stated there were two bids submitted. HRI, Inc. for \$97,614.41 and Quaker Sales for \$106,725.50. A motion was made by Mrs. Speicher to accept the bid from HRI, Inc. in the amount of \$97,614.41 pending review of the bid package by Solicitor Hochfeld. Motion seconded by Mr. Ewald. All in favor, motion carried (7-0).

**Minutes**

A motion was made by Mrs. Speicher to approve the council meeting minutes of April 15, 2024. Motion seconded by Mr. Burkert. All in favor, motion carried (7-0).

Mrs. Layton stated the April 24, 2024, Special Meeting Minutes were missed on the agenda and would be added to the June agenda for approval.

**Police Report**

Chief Newman reported the police handled 425 calls in April noting 87 of the calls were in Southmont Borough making a total of 1,690 calls for the year with 312 in Southmont Borough. Chief Newman informed council that 58.5 pounds of medications and prescriptions were collected at the department during their annual National Drug Take Back Day noting the drop off box is available all year round for residents to drop off unwanted or expired prescriptions.

**Fire Company Report**

The April 2024 Fire Chief's Report was received. Chief Costic was absent.

**Engineer's Report**

Mr. Sauserman reported that the flow meters are in and monitoring and even though there has been a lot of rain in April there wasn't the type of storm event during any of it that is needed in order to get relief from the consent order with the Department of Environmental Protection.

**Zoning Officer's Report:**

Mrs. Layton reported that a zoning board appeal hearing will be held on Tuesday, June 11<sup>th</sup> at 6:00 p.m. regarding a fence at 201 Leila Street.

**Solicitor's Report**

A motion was made by Mr. Ewald to approve Ordinance No 551, providing for filing municipal liens and authorizing recovery of cost, interest and penalties. Motion seconded by Mrs. Speicher. All in favor, motion carried (7-0).

**Street Commissioner's Report**

The Street Commissioner's Report was received and is on file. A motion was made by Mr. Kupchella to approve an estimate from Case Power & Equipment for the replacement of the hydraulic tank and hoses at \$8,035.75. Motion seconded by Mr. McVicker. All in favor, motion carried (7-0).

**Borough Manager Report**

The Borough Manager's Report was received and is on file. Mrs. Speicher questioned if a process is in place for property maintenance violations. Mrs. Layton stated the borough sends an initial notice and if the issue is not resolved within the given time frame, then a violation notice is sent to Laurel Municipal Inspection Agency and if the issue is still not resolved within their given time frame, Laurel Municipal Inspection Agency will submit the proper paperwork to the West Hills Regional Police who have agreed to file citations with the District Magistrate on behalf of Laurel Municipal Inspection Agency since they have access to the necessary identifying information required to file citations.

**Mayor's Report:**

Nothing to report.

**Committees:**

**Administration/Borough Services:** Nothing to report.

**Community Planning & Improvements:** Mr. Burkert reported Shanna Murphy Sosko of the Cambria County Planning Commission has been discussing a comprehensive plan with other surrounding municipalities noting the Planning Commission held a meeting on May 9<sup>th</sup> with representatives from the Department of Community & Economic Development, Westmont Borough, Upper Yoder Township, Lower Yoder Township, Brownstown Borough and Southmont Borough in attendance. Mr. Burkert stated there is a process to file an application and the chances of Southmont Borough being funded to create a comprehensive plan are nearly non-existent noting they require a certain level of regional cooperation. Mr. Burkert stated the comprehensive plan would allow Southmont Borough to plan issues that are

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identified to Southmont specifically and would allow us to tee up the next five to ten years' worth of projects that matter to this community as well as look at regional issues. Mr. Burkert reported that each municipality has been asked to appoint representatives to a steering committee noting in the meantime the Community Planning & Improvements committee would be performing a strengths, weaknesses, opportunities, and threats (SWOT) analysis and looking at projects that Southmont is interested in. Mr. Burkert stated municipalities that commit to this will submit requests for proposals for comprehensive planning assistance as a group noting applications are due in September. Mr. Beri explained that a comprehensive plan looks at all the issues that impact the area and determining what needs exist in a community and a plan of action to address those needs noting the state will not fund a comprehensive plan for a single municipality, so they require multiple municipalities to work together to develop a plan. Mr. Beri stated a comprehensive plan does not mean the municipalities will be consolidated it is just multiple municipalities looking at similar issues that cross municipal boundaries that they can work on collectively and also specifically for each municipality that each want to work on noting the benefits of collaborating means that instead of a single municipality having to fund a comprehensive plan, which could cost between \$80,000 and \$100,000, the grant would cover fifty percent and the remaining fifty percent would be cost shared amongst the municipalities. Mr. Beri stated the borough does not rank high enough when applying for grants due to not having any planning noting municipalities that have a comprehensive plan rank higher and get funding for projects and the borough should not continue to raise taxes when there are billions of federal and state dollars available to help us address issues in our community. Mr. Beri stated at this point in the process the Planning Commission is just looking at which municipalities are interested in continuing to explore the process to move forward with getting a request for proposals together for multiple consultants to submit a proposal and at that point the municipalities would reevaluate to see if this is something they want to move forward with based on the cost. Mrs. Speicher stated that an article published in the Tribune Democrat read in part "...sharing services and collaboration is a start that could perhaps lead eventually to the formation of one West Hills municipality." and council was not informed that there were meetings being held with DCED and other municipalities noting they should be kept informed of any meetings and the results of those meetings. Mr. Burkert stated the quote was from Westmont Borough meeting and the Planning Commission presented it as shared services and not a consolidation. Mr. Burkert stated he is looking to hold a committee meeting on June 18<sup>th</sup> at 4:00 p.m. with DCED and the Planning Commission.

A motion was made by Mr. Burkert to submit a letter of commitment to be included in the project scope and requests for proposals for a multi-municipal comprehensive plan. Motion seconded by Mr. Kupchella. Roll call: Mr. Beri, Mr. Kupchella, Mr. McVicker, Mr. Burkert in favor. Mr. Ewald, Mr. Morgan, and Mrs. Speicher not in favor. All in favor motion carried. Motion carried (4–3).

**Emergency Management:** Nothing to report.

**Finance:** Mrs. Speicher stated there will be an audit review meeting June 11, 2024, at 4:00 P.M. with Kotzan & Associates and all of Council are invited to attend.

**Greater Johnstown Water Authority:** Mr. Kupchella reported that the Westmont tank is in service, and the water authority is considering future government regulations for lead lines and are looking into plans to try to get ahead of it.

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

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**Personnel:** Mr. Beri stated there will be a committee meeting soon to review performance evaluations and update job descriptions.

**Police:** Nothing to report.

**Property Maintenance, Streets and Sidewalks:** Mr. McVicker reported a blocked inlet on Pearl Street and Mr. McAdams stated he is aware of the issue, and it is on the list of inlets to be jetted.

**Shade Tree:** Mr. Burkert reported the 20 red maple trees that were received through the Bare Root Tree grant and the committee will begin planning for a Community Forestry grant for next spring.

### **New Business:**

A motion was made by Mr. Burkert to approve submitting the Application for County Aid in the amount of \$5,600. Motion seconded by Mr. Kupchella. All in favor, motion carried. (7-0).

Solicitor Hochfeld reported that a letter was sent to Laurel Municipal Inspection Agency on April 16<sup>th</sup> informing them that since they were not able to obtain the necessary identifiers for property owners in order to file citations for non-compliance of the property maintenance code, West Hills Regional Police was willing to file citations on behalf of Laurel Municipal Inspection Agency. Solicitor Hochfeld stated he spoke with David Church at Laurel Municipal Inspection Agency last week and was told that no citations have been filed yet noting the holdup was in gathering the appropriate paperwork to provide to the police.

Solicitor Hochfeld stated Ordinance No. 542 provides that complaints concerning the provision of services shall be presented in writing to the Program Committee of Laurel Municipal Inspection Agency and shall be answered in writing within five (5) days of the next regularly scheduled meeting of the Program Committee. Solicitor Hochfeld stated the agreement with Laurel Municipal Inspection Agency requires ninety (90) day notice of the borough's intention to withdrawal before the annual renewal of the agreement, which would be in February 2025.

A motion was made by Mrs. Speicher to submit ninety days' notice to Laurel Municipal Inspection Agency of the borough's intention to withdrawal from the agreement. Motion seconded by Mr. Morgan. A brief discussion was held amongst council members with Solicitor Hochfeld suggesting that a letter be sent to Laurel Municipal Inspection Agency requiring action on property maintenance violations submitted over the past year within thirty (30) days. A motion was made by Mrs. Speicher to rescind her motion to submit ninety day's notice to Laurel Municipal Inspection Agency of the borough's intention to withdrawal from the agreement. Motion seconded by Mr. Morgan. All in favor, motion carried (7-0).

A motion was made by Mrs. Speicher to approve Solicitor Hochfeld to draft and send a letter to Laurel Municipal Inspection Agency outlining the borough's issues and requiring the issues be addressed within thirty (30) days. Motion seconded by Mr. McVicker. All in favor, motion carried (7-0).

There was a discussion on properties not in compliance with sewer lateral compliance requirements. Mrs. Layton reported that the owner of 521 State Street did not attend the enforcement hearing and were given 90-day notice to make necessary repairs or the water service would be terminated noting the issue got overlooked during the transition between the previous solicitor and new solicitor. A motion was made by Mr. Ewald to proceed with posting a notice of the intent to terminate water service to 521 State Street due

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to not complying with sewer lateral compliance requirements. Motion seconded by Mrs. Speicher. All in favor, motion carried (7 -0).

**Business Items:**

A motion was made by Mr. Morgan to approve ratification of payroll from April 16, 2024 to May 20, 224 in the amount of \$20,812.98. Motion seconded by Mr. Ewald. Roll call: Mr. Beri, Mr. Burkert, Mr. Morgan, Mrs. Speicher, Mr. Kupchella, Mr. Ewald, and Mr. McVicker in favor. Motion carried (7-0).

A motion was made by Mrs. Speicher to approve payment of bills from April 16, 2024 through May 20, 2024 in the amount of \$112,442.21. Motion seconded by Mr. Morgan. Roll call: Mr. Beri, Mr. Burkert, Mr. Morgan, Mrs. Speicher, Mr. Kupchella and Mr. McVicker in favor. Motion carried (7-0).

A motion was made by Mrs. Speicher to approve transfers from April 16, 2024 through May 20, 2024 in the amount of \$66,643.00. Motion seconded by Mr. Morgan. Roll call: Mr. Beri, Mr. Burkert, Mr. Morgan, Mrs. Speicher, Mr. Kupchella, Mr. Ewald and Mr. McVicker in favor. Motion carried (7-0).

A motion was made by Mr. Morgan to approve the April 2024 Treasurer's Report. Motion seconded by Mr. Burkert. All in favor, motion carried (7-0).

A motion was made by Mr. Morgan to approve the March 2024 and April 2024 tax collector's reports. Motion seconded by Mrs. Speicher. All in favor, motion carried (7-0).

There being no further business, a motion was made by Mr. Burkert for adjournment of the May 20, 2024, meeting at 5:14 p.m. Motion seconded by Mr. Morgan. All in favor, motion carried (7-0).

Respectfully Submitted,

Debra Riek  
Assistant Secretary