

Johnsonburg Borough  
Re-organizational Meeting  
January 2, 2024  
4:00 p.m.

Mayor Paget called the meeting to order.

Silent Prayer and Pledge of Allegiance

Oath of Office: Mayor Paget administered the oath of office to Councilmen Louie Imbrogno, James R. DePanfilis and James DeAngelo.

A motion was made by Councilman Cherry and seconded by Councilman DeAngelo to nominate Councilman Maletto as President. No other nominations were presented. Motion carried unanimously.

A motion was made by Councilman Maletto and seconded by Councilman Warmbrodt to nominate Councilman DePanfilis as Vice-President. No other nominations were presented. Motion carried unanimously.

A motion was made by Councilman Imbrogno and seconded by Councilman Warmbrodt to nominate Councilman Cherry as President Pro Tempore. No other nominations were presented. Motion carried unanimously.

President Maletto then presided over the meeting.

Appointments: A motion was made by Councilman DePanfilis and seconded by Councilman Imbrogno to reappoint Rachel Kilhoffer as Secretary for 2024 & 2025. Motion carried unanimously.

A motion was made by Councilman DePanfilis and seconded by Councilman DeAngelo to reappoint Rachel Kilhoffer as Treasurer for 2024 & 2025. Motion carried unanimously.

A motion was made by Councilman DePanfilis and seconded by Councilman Warmbrodt to reappoint Joan Davison as Assistant Treasurer for 2024 & 2025. Motion carried unanimously.

A motion was made by Councilman DePanfilis and seconded by Councilman Warmbrodt to reappoint Northwest and Pennsylvania Local Government Investment Trust (PLGIT) as the borough depositories. Motion carried unanimously.

A motion was made by Councilman Cherry and seconded by Councilman DePanfilis to reappoint John Thomas as the borough solicitor for 2024 & 2025. Motion carried unanimously.

A motion was made by Councilman Cherry and seconded by Councilman Imbrogno to reappoint Joseph Lazore, CPA as the borough auditor for 2024 & 2025. Motion carried unanimously.

A motion was made by Councilman Cherry and seconded by Councilman Imbrogno to reappoint David Zilkofski as the Emergency Management Agency Coordinator for 2024 & 2025. Motion carried unanimously.

A motion was made by Councilman Cherry and seconded by Councilman Warmbrodt to reappoint Tom Costanzo as the Deputy Emergency Management Agency Coordinator for 2024 & 2025. Motion carried unanimously.

A motion was made by Councilman Imbrogno and seconded by Councilman DeAngelo to hold the monthly meetings on the second Monday of the month at 4:00 p.m. unless the date is a legal holiday in which the meeting will be moved to the next day (Tuesday). Motion carried unanimously.

A motion was made by Councilman DePanfilis and seconded by Councilman Warmbrodt to pass Resolution 01-2024 which states that the Council will conduct their meetings by Robert's Rules of Order unless there is a conflict with the Sunshine Law which will take precedent. Motion carried unanimously.

A motion was made by Councilman DePanfilis and seconded by Councilman Warmbrodt to pass Resolution 02-2024 which will set the current borough fee schedule. Motion carried unanimously.

Board Appointments: The submissions for the two positions open on the Johnsonburg Municipal Authority were reviewed. A motion was made by Councilman DePanfilis and seconded by Councilman Maletto to appoint George Tony King to the two-year position and to appoint Duane Duffy to the five-year position on the municipal authority board. Motion carried unanimously.

A motion was made by Councilman DePanfilis and seconded by Councilman Imbrogno to pass Resolution 03-2024 which will reappoint Ray Mattson to the Zoning Hearing Board for five years. Motion carried unanimously.

A motion was made by Councilman Warmbrodt and seconded by Councilman Maletto to reappoint Jim DeAngelo and Scott Cherry to the Johnsonburg Planning Commission for four-year terms. Motion carried unanimously.

The appointments to the Civil Service Commission and the Construction Appeals Board were tabled due to a lack of submissions.

Adjournment: A motion was made by Councilman Imbrogno and seconded by Councilman Cherry to adjourn to the regular monthly meeting at 4:20 p.m. Motion carried unanimously.



*Rachel Kilhoffer*  
Rachel Kilhoffer  
Secretary

Johnsonburg Borough  
Regular Meeting  
January 2, 2024  
4:20 p.m.

Roll Call/Attendance	Title	Present	Absent	Excused
Cherry, Scott	Councilman	X		
Clopp, John	Police Chief	X		
DeAngelo, James	Councilman	X		
DePanfilis, James R.	Councilman	X		
Imbrogno, Louie	Councilman	X		
Imbrogno, Tom	Street Superintendent	X		
Johnsonburg Municipal Authority	Representative		X	
Kilhoffer, Rachel	Secretary	X		
Maletto, Alfred J.	President	X		
Miller, Ryan (ARS Engineering)	Engineer/ Code Enforcement	X		
Paget, Kyle	Mayor	X		
Poague, Eric	Councilman		X	
Thomas, John R.	Solicitor	X		
Warmbrodt, Richard	Councilman	X		



Approval of Agenda: A motion was made by Councilman Warmbrodt and seconded by Councilman DePanfilis to approve the agenda. Motion carried unanimously.

Minutes: A motion was made by Councilman Cherry and seconded by Councilman Warmbrodt to approve the minutes from the regular meeting on December 11, 2023. Motion carried unanimously.

Guests & Public Comment: None present.

### Monthly Reports

Mayor: Mayor Paget reported on community events. He also reported that he has been receiving complaints about the garbage rate increase that began this year.

Police: Monthly and 2023 annual reports are on file. Chief Clopp reviewed his report and informed Council that Owen Schreiber has graduated and will begin the employment process as per our contract with him.

Fire Chief: Monthly and 2023 annual reports are on file.

Superintendent: Monthly report is on file.

Council Committees: None.

Finance & Bills for Payment: President Maletto read the borough's account balances and the bills. This month's bills include General Fund - \$3,912.09, Community Center Fund - \$11,030.53, Highway Aid Fund - \$2,023.55, and Community Improvement Fund - \$5,186.72. A motion was made by Councilman DePanfilis and seconded by Councilman Cherry to pay the bills as presented and to accept the finance report. Motion carried unanimously.

Solicitor: Solicitor Thomas advised to hold on advertising the ordinances for the shared services positions until Ridgway Borough is satisfied with the ordinance so that we do not have to readvertise if they decide to make changes.

He will inform Smith Motors, 621 E. Center St., that the Johnsonburg Hotel debris removal project was conducted by the Elk County Planning Department if they have concerns in the future.

Engineer & Code Enforcement Report: Monthly report is on file. Engineer Ryan Miller updated Council on the status of the Hemlock St stormwater grant, the Johnsonburg Community Center heating and a/c project on the second floor, and Nittany Mart stormwater plans.

Municipal Authority: Minutes are on file.

Recreation Board: Minutes and reports are on file. Topics pertaining to the Johnsonburg Community Center were briefly discussed including the fitness center equipment maintenance quote, membership discount, painting quotes, and the status of the replacement dumpster door.

Old Business: 1. A motion was made by Councilman DeAngelo and seconded by Councilman DePanfilis to have Solicitor Thomas draft a resolution for Council to place a referendum on the November ballot asking the voters to decide on an EMS tax of up to two mills. Motion carried unanimously.

New Business: 1. A motion was made by Councilman DePanfilis and seconded by Councilman Warmbrodt to pass Resolution 04-2024 which allows the borough office, police department, and community center to shred documents from 2016 and prior. Motion carried unanimously.

A motion was made by Councilman Warmbrodt and seconded by Councilman Cherry to move into executive session to discuss litigation at 5:05 p.m. Motion carried unanimously.

A motion was made by Councilman Imbrogno and seconded by Councilman Warmbrodt to return to regular session at 5:16 p.m. Motion carried unanimously.

President Maletto stated that, during executive session, litigation was discussed but no decisions were made.

Adjournment: A motion was made by Councilman DePanfilis and seconded by Councilman Cherry to adjourn the meeting at 5:17 p.m. Motion carried unanimously.



*Johnsonburg Borough*  
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RESOLUTION 01-2024  
Robert's Rules of Order & Sunshine Law

WHEREAS, section 10, Rules and Regulations for Conduct of Meetings, of the Sunshine Act, Act July 3, 1986, P.L. 388, No. 84, 65 Pa.C.S. A. § 701 et seq. (amendments inclusive) provides for boroughs to adopt, by official action, the rules and regulations necessary for the conduct of its meetings and the maintenance of order; and

WHEREAS, the Johnsonburg Borough Council, Elk County deems it to be in the best interest of maintaining the rules of order to adopt Robert's Rules of Order by General Henry M. Robert, U.S. Army:

NOW, THEREFORE, be it resolved that the Johnsonburg Borough Council, Elk County, of the Commonwealth of Pennsylvania shall adopt Robert's Rules of Order by General Henry M. Robert, USA latest edition, as the procedural guidelines for the conduct of its meetings and the maintenance of order.

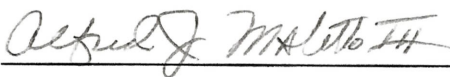
Where this parliamentary authority conflicts with applicable provisions of the Constitution of the Commonwealth of Pennsylvania, the Borough Code or other statutes of Pennsylvania of the Borough of Johnsonburg, the said provisions shall supersede on that subject matter.

DULY PRESENTED and ADOPTED by the Johnsonburg Borough Council at a public meeting held this 2<sup>nd</sup> day of January, 2024.

Attest:

  
\_\_\_\_\_

Secretary

  
\_\_\_\_\_

President

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**RESOLUTION 02-2024**

**A RESOLUTION OF THE JOHNSONBURG BOROUGH COUNCIL, ELK COUNTY, PENNSYLVANIA,  
ESTABLISHING AND AMENDING ITS FEES AND CREATING A FEE SCHEDULE FOR VARIOUS  
APPLICATIONS AND ADMINISTRATIVE SERVICES PROVIDED**

WHEREAS, various statutes of the Commonwealth and ordinances, resolutions and motions of the Johnsonburg Borough Council allow and provide for the setting of administrative fees as to defer the cost of their administration; and

WHEREAS, the Johnsonburg Borough Council, along with the Johnsonburg Recreation Board, sets annual fees for the operations of the Johnsonburg Community Center; and

WHEREAS, the Johnsonburg Borough Council wishes to establish a schedule of fees in a single document; and

WHEREAS, in keeping with good practice, the Johnsonburg Borough Council and its administration periodically review the schedule of fees and makes appropriate revisions thereto; and

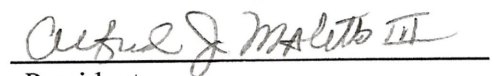
WHEREAS, the Johnsonburg Borough Council has determined that certain revisions are necessary and in the best interest of the borough,

NOW, THEREFORE, let it be resolved and enacted that a schedule of fees be established as contained herein and that this resolution shall replace all previous fees and/or fee schedule resolutions.

DULY ADOPTED this 2<sup>nd</sup> day of January 2024, by Johnsonburg Borough Council, Elk County, Pennsylvania, in lawful session duly assembled.

ATTEST:

  
Secretary

  
President





### Amusement/Device

- Bowling alley & pool tables \$5.00
- Music box \$25.00
- Electronic device & pinball machine \$50.00

### Building Permits

- Borough building/setback permit \$10.00
- Any permit requiring the services of Bureau Veritas will be subject to fees regulated by that agency.

### Police Department

- Accident report copy \$15.00
- Kennel fee \$5.00/day

### Stormwater Management Review

- less than 1000 square feet (sf) no review or application is required.
- for new construction 1000-2500 sf, the small projects stormwater management application is required – no fee
- for new construction 2500-5000 sf, the small projects stormwater management application and additional questionnaire is required - \$50.00
- for new construction in excess of 5000 sf, a Stormwater Management Plan & Report is required – fee is based on review time up to \$500.00.

### Street

- Monthly borough dumpster drop off \$10.00
- Container permit (on street) \$10.00
- Trailer permit (on street) \$10.00
- Curb cuts \$100.00
- Street excavations/road cuts \$150.00
  - Alleyways \$75.00

### Right To Know Requests

- Fees as per Pennsylvania state regulations

### Zoning

- Building permit/setback permit \$10.00
- Wild & exotic animal permit \$150.00
- Zoning Hearing Board hearing request \$250.00

### Miscellaneous

- Peddler/Solicitation permit \$100/month
  - Renewal \$50/month
- Razing/demolition permit \$25.00
- Return check fee \$30.00



Johnsonburg Community Center

- |                           | (1 month) | (6 months) | 1 year (12 months) |
|---------------------------|-----------|------------|--------------------|
| • Membership Type         |           |            |                    |
| • Senior (65+) or Student | \$13.00   | \$78.00    | \$120.00           |
| • In Town Single          | \$22.00   | \$132.00   | \$216.00           |
| • Out of Town Single      | \$27.00   | \$162.00   | \$276.00           |
| • In Town Family          | \$34.00   | \$204.00   | \$324.00           |
| • Out of Town Family      | \$37.00   | \$222.00   | \$360.00           |
- 
- Daily use fee \$1.00 non-member
  - Saturday use \$5.00 non-member/\$2.00 member
  - 24/7 Fitness Center Key \$10.00
  - Fitness Center Day Pass or Visitor Pass \$5/day
  - Birthday party rental (three hours includes pool) \$100 non-member/\$75 members

JOHNSONBURG BOROUGH  
ELK COUNTY, PENNSYLVANIA  
RESOLUTION 03-2024

COPY

A RESOLUTION OF THE COUNCIL OF THE BOROUGH OF JOHNSONBURG  
ELK COUNTY, PENNSYLVANIA  
TO APPOINT A MEMBER OF THE ZONING HEARING BOARD

WHEREAS, the Johnsonburg Borough has enacted a Zoning Ordinance and established a Zoning Hearing Board in accordance with the requirements of the Pennsylvania Municipalities Planning Code ("MPC"); and

WHEREAS, Section 903 of the MPC provides that members and alternate members of the Zoning Hearing Boards are to be appointed by resolution; and

WHEREAS, Council desires to appoint a member of the Zoning Hearing Board;

NOW, THEREFORE, BE IT RESOLVED by the Johnsonburg Borough Council, Elk County, Pennsylvania as follows:

Section 1. Pursuant to Section 903 (a) of the Pa Municipalities Planning Code, 53 PS 10903 (a), Council appoints the following person(s) as a member(s) of the of the Zoning Hearing Board of Johnsonburg, Elk County, Pennsylvania, with the term of office expiring as set forth below:

Name: *Raymond Mattson*  
Term Expires: *12/31/2028*

Section 2. In the event any provision, section, sentence, clause, or part of this Resolution shall be held to be invalid, illegal, or unconstitutional by a court of competent jurisdiction, such invalidity, illegality, or unconstitutionality shall not affect or impair the remaining provisions, sections, sentences, clauses, or parts of this Resolution it being the intent of Council that the remainder of the Resolution shall be and shall remain in full force and effect.

Section 3. This Resolution shall be effective immediately.

DULY ADOPTED this 2<sup>nd</sup> day of January 2024, by the Johnsonburg Borough Council, Elk County, Pennsylvania, in lawful session duly assembled.

Attest:

*Rachel Kilhoffer*  
Borough Secretary

*Arthur J. Malotto III*  
President of Council

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**RESOLUTION 04-2024  
RECORDS DISPOSAL**

RESOLVED BY the Johnsonburg Borough Council, Elk County, Pennsylvania, that;

WHEREAS, the Johnsonburg Borough declares its intention to follow the schedules and procedures for the disposition of records as set forth in the Municipal Records Manual approved December 16, 2008, and,

WHEREAS, in accordance with Act 428 of 1968, each individual act of disposition shall be approved by resolution of the governing body of the municipality;

NOW, THEREFORE, BE IT RESOLVED that the Borough Council of the Johnsonburg Borough, Elk County, Pennsylvania, in accordance with the above cited Municipal Records Manual;

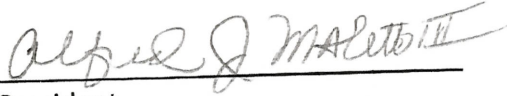
HEREBY authorizes the disposition of the following public records:

- Johnsonburg Borough office: correspondence, invoices, and miscellaneous files 2016 and prior
- Johnsonburg Police Department: correspondence, invoices, and miscellaneous files 2016 and prior
- Johnsonburg Community Center: correspondence, invoices, and miscellaneous files 2016 and prior

DULY ADOPTED this 2nd day of January 2024, by Johnsonburg Borough Council, Elk County, Pennsylvania, in lawful session duly assembled.

ATTEST:

  
Secretary

  
President