

Johnsonburg Borough
Regular Meeting
July 11, 2022
4:00 p.m.

Call to Order
Silent Prayer
Pledge of Allegiance

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		
Warmbrodt, Richard	Councilman	X		

Minutes: A motion was made by Councilman Poague and seconded by Councilman DePanfilis to approve the minutes from the June 13, 2022 regular meeting. Motion carried unanimously.

Guests: Patrick Ferguson, 631 Penn St., was present to request a handicap parking spot in front of his residence. Borough council explained that the borough does not issue handicap parking spots for residential streets. A brief discussion was held on possible alternatives.

Nancy Parana spoke on behalf of the Johnsonburg Farmers & Artisans Market with a request to close the portion of Market St. between Bridge St. and the library area where the market is held each Wednesday from 4:00 – 7:00 p.m. They are also requested an addition to their previous request for the Rock the Block event on July 30th to add additional hours on to the timeline. A motion was made by Councilman Poague and seconded by Councilman Cherry to close the requested portion of Market St. for the farmers market on Wednesdays and to add the three additional hours onto the Rock the Block as previously requested. Motion carried unanimously.

Augustine Oglesby, 421 Second Ave., and Jessica Gent, 409 Second Ave., were present to discuss several issues happening within their neighborhood. The discussion was focused on code enforcement and disturbing the peace type of complaints. They were advised to contact the police department or the borough office while these offenses are occurring.

Monthly Reports

Mayor: Mayor Paget inquired about the replacement of the Welcome to Johnsonburg sign after a traffic accident damaged items at the intersection of Market St. and E. Center St. several months ago. Secretary Kilhoffer reported that the items are on order and will be installed when everything arrives.

Police: Monthly report is on file. Chief Clopp's monthly report included the following:

- Retired Sgt. Ken Launer was recently honored by the Fraternal Order of Police.
- The department was awarded a Johnsonburg Endowment Fund grant for office furniture.
- He spoke with summer school and day camp children about summer safety.

Fire Chief: Monthly report is on file.

Superintendent: Monthly report is on file. The new 2022 F550 Ford dump truck has arrived and is in service.

Council Committees: Nothing submitted.

Finance & Bills for Payment: President Maletto read the borough's account balances and the bills. This month's bills include General Fund - \$7,522.23, Community Center Fund - \$2,179.53, Community Improvement Fund - \$9,196.07, Highway Aid Fund - \$14,151.78, and Street Light Fund - \$3,590.00. A motion was made by Councilman Poague and seconded Councilman DePanfilis to pay the bills as presented and to accept the finance report. Motion carried unanimously.

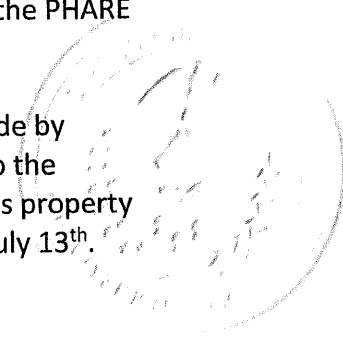
Solicitor: Solicitor Thomas explained a letter received asking for a change of language in the easement for 128 Mary St.

Engineer & Code Enforcement Report: Monthly report is on file. Engineer Miller reviewed his report including the following:

- The West Center Street Stormwater Project has been bid with a pre-bid meeting set for July 19th.
- He will be submitting a 2022 Community Development Block Grant Application on the borough's behalf for the Johnsonburg Hotel site cleanup.

A brief discussion was held on the demolition of the 306 & 308 High St. through the PHARE funding program.

A discussion was held on the demolition of 510 Glen Hazel Rd. A motion was made by Councilman DePanfilis and seconded by Councilman DeAngelo to send a letter to the Johnsonburg Municipal Authority outlining the code enforcement issues with this property and then move forward with the demo after their monthly meeting being held July 13th. Motion carried with Councilman Poague opposed.



Municipal Authority: Discussion was held on a few items involving the authority including:

- The Powers Run Dam removal project
- 109 Grove St. missing sidewalk
- Fire hydrant at 200 Cushing Ave
- Fire hydrant in the 500 block of Third Ave
- Fire hydrant on Market St. directly in front of the Johnsonburg Community Center

Municipal authority board members Chuck DeStephano and TJ Weaver stated that they will bring these items to the authority's board meeting for review.

Recreation Board: Recreation Board President TJ Weaver reported on a few projects at the Johnsonburg Community Center included stump removal and the work continuing in the ballroom.

Old Business: 1. A motion was made by Councilman DeAngelo and seconded by Councilman Imbrogno to approve the quote from Jonathan Updyke Contracting for \$4,580.00 to update the lights in the borough garage to new LED light fixtures. President Maletto called for a roll call vote which was unanimous. Motion carried.

2. Approved under guests.

New Business: 1. A motion was made by Councilman DePanfilis and seconded by Councilman Poague to waive the open container ordinance for the Johnsonburg American Legion on July 16th for their property on Market St. for a fundraising event. Motion carried unanimously.

A motion was made by Councilman DeAngelo and seconded by Councilman DePanfilis to move into executive session at 5:11 to discuss litigation. Motion carried unanimously.

A motion was made by Councilman Imbrogno and seconded by Councilman DeAngelo to return to regular session at 5:21 p.m. Motion carried unanimously.

President Maletto stated that, during executive session, a confidential agreement was reached for the litigation with Jesse Poague, Ridgway Ave. A motion was made by Councilman DeAngelo and seconded by Councilman DePanfilis to accept the terms of the confidential agreement with Jesse Poague. President Maletto called for a roll call vote which was unanimous with Councilman Poague abstaining from the vote. Motion carried.

Adjournment: A motion was made by Councilman Warmbrodt and seconded by Councilman DePanfilis to adjourn the meeting at 5:23 p.m. Motion carried unanimously.


Rachel Kilhoffer
Secretary

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**Conflict of Interest
Abstention Memorandum**

TO: Borough Secretary, Johnsonburg Borough, Elk County, Pennsylvania

From: ERIC POAGUS
Council Member

Date: 7/11/22

Pursuant to Pennsylvania's Public Official and Employee Ethics Law (65 PA CSA 1101 et seq), I hereby declare that I am required to abstain regarding the following issue/motion:

Approval of Confidential Agreement

My conflict/reason for abstaining is as follows:

Confidential Agreement is with Jesse Poagus my son

Eric P. Poagus
Signature

NOTE: Section 1103(J) requires the following procedure:

"Any public official or public employee, who in the discharge of his official duties, would be required to vote on a matter that would result in a conflict of interest shall abstain from voting and, prior to the vote being taking, publicly announce and disclose the nature of his interest as a public record in a written memorandum filed with person responsible for recording the minutes for the meeting at which the vote is taken..."

Please note the State Ethics Commission requires a public official to complete a form every time he has a conflict of interest.