

**Borough of Windber
Borough Council Regular Meeting
January 4, 2011– 7:00 PM
MINUTES**

Call to order – Council President Anthony Turcato
Pledge of Allegiance
Roll Call - Council President - Anthony Turcato (AT), James Furmanchik (JF) arrived 7:03, Barry Jerley (BJ) absent , George Ledney (GL), Sonya Pekala (SP), James Spinos (JS), Michael Winas (MW) Mayor Simon Ohler (SO) absent , Borough Manager Fred Oliveros (FO), Solicitor – Jeffrey L Berkey (JB) absent, Recording Secretary - Cynthia McCracken
Public comment on agenda -
Reading of the Minutes – <i>Moved and seconded (Winas/Spinos) to approve the minutes of the previous meeting as presented. Mr. Turcato No (Motion Carried)</i>
Correspondence 1) Lease renewal request for 1401 Graham Avenue 2) Windber Fire #1 Election notice. 3) Comcast price changes. 4) WMA Minutes and financials.
Business Items a. Approval of Payroll <ul style="list-style-type: none"> • <i>Moved and Seconded (Ledney/Pekala) to approve Payroll – (Motion Carried)</i> b. Approval to Pay bills <ul style="list-style-type: none"> • <i>Moved and Seconded (Furmanchik/Spinos) to approve pay the bills - (Motion Carried)</i> <ul style="list-style-type: none"> • <i>Remarks from Mr. Winas regarding Traffic light bulbs not lasting as expected. Fred to check.</i> • <i>Mr. Spinos questioned why the Municipal Authority bill was paid before discussion. Fred issued a check upon review financials. Fred indicated that he checked with the Finance committee and all conditions were met. Discussion between council members regarding the agreement and how the line of credit will be used going forward. Once the line of credit is exhausted there will be no more credit extended. Any future funds above the original agreement would need approval from Council. Is the Borough responsible for the repair bills to the building?</i> • <i>Mr. Spinos expressed concern that the funds be used for the purpose requested. Mrs. Pekala & Mr. Winas indicated that capital improvements should be the Borough's Mr. Winas indicated that the roof should be the Borough's responsibility. Mr. Furmanchik indicated that the agreement guidelines is not clear and must be addressed as repair requests happen. Revenues and risk should be assessed</i> • <i>Mr. Ledney asked Fred to check with the Municipal authority on the buildings needs and come up with a plan.</i> • <i>Mrs. Pekala asked about the grant that was specifically to go for the repair of the Municipal Building. Out of the Whalley Run Trust fund. Judge Klementik stated that the Grant is expressly for repairs of the Community Building. Mrs. Pekala asked whether the funds are still available.</i> • <i>Mr. Furmanchik asked about the timing of Credit line payments. Mr. Oliveros indicated that the agreement is not clear. Mr. Turcato indicated that it is his understanding that the monies borrowed would be paid in the same year as the disbursement.</i> • <i>Mrs Pekala indicated that this should come back to council after the discussions for the disbursement of the \$10,000 remaining on the line of Credit. (Council Agreed)</i> <i>Mr. Turcato Thanked everyone for their input</i> c. Approval of Resolution 2011-1 authorizing the filing of a Redevelopment Assistance Capital Grant application to the Commonwealth of PA in the amount of \$500,000 for the Windber Medical Center Project. <ul style="list-style-type: none"> • <i>Moved and Seconded (Furmanchik/Spinos) to approve Resolution 2011-1 authorizing the filing of a Redevelopment Assistance Capital Grant application to the Commonwealth of PA in the amount of \$500,000 for the Windber Medical Center Project. (Motion Carried)</i>

- d. Approval of Resolution 2011-2 accepting the police roster for Paint Township as of January 1, 2011. AKA Attachment 1 of Ordinance 2010-3 Police service agreement.
 - *Moved and Seconded (Spinosa/Furmanchik) to approve of Resolution 2011-2 accepting the police roster for Paint Township as of January 1, 2011. AKA Attachment 1 of Ordinance 2010-3 Police service agreement. (Motion Carried)*
- e. Approval of Resolution 2011-3 waiving employer contributions to the Police Pension Plan for 2011.
 - *Moved and Seconded (Pekala/Furmanchik) to approve the Resolution 2011-3 waiving employer contributions to the Police Pension Plan for 2011. (Motion Carried)*
- f. Approval of Resolution 2011-4 authorizing the Tax Anticipation Note with Slovenian Savings.
 - *Moved and Seconded (Furmanchik/Pekala) to approve the Resolution 2011-4 authorizing the Tax Anticipation Note with Slovenian Savings. (Motion Carried)*
- g. Approval of re-election of Craig Cicon as Chief of Windber Fire Co. #1.
 - *Moved and Seconded (Furmanchik/Spinosa) to approve Craig Cicon as Chief of Windber Fire Co. #1. (Motion Carried)*

Borough Reports – To be submitted for next meeting

Unfinished Business

Executive session re: Contract Matters 7:36 pm – 7:55 pm

New Business

- a. Municipal Authority \$35,000 dispersal from the Line of Credit – Discussed previously with Payment of Bills. Mr. Oliveros will sit down with their Director.
- b. Need Borough representatives on Emergency Services Partnership Task Force. Mr. Marcinko would like to set up a meeting for the end of this month. Would like to appoint an individual from the citizens at the January 18th meeting. Mr. Turcato indicated he has a person in mind. The Fire companies have already appointed their members.

Recognition of Visitors

Andy Kondas – People are interested in talking to Rosebud again.

Mr. Turcato and Mr. Oliveros have discussed the citizen's requests to speak with local representatives of the various regulatory agencies and companies that have operations that concern the citizens of Railroad St. Mr. Oliveros asked for a name. Mr. Kondas indicated Mr. Haney has been contacted and said officials and authorities with EPA will send equipment to measure the emissions in the spring. Mr. Kondas indicated that December was the worst month. Trucks are around 30 mph until they are past the houses and then they speed up sending the dust into the air.

Mr. Ledney asked if Mr. Kondas has been to the Paint Township meetings.

Mr. Turcato is confident that the members of council are aware of the deplorable conditions of the street and indicated that the Borough will meet with the individual agencies to indicate the conditions and work to get them to correct the conditions no matter what time the meeting has to be.

The State needs to be contacted to ask for their help with the state road conditions and air quality. Mr. Kondas indicated that our State Constitution guarantees clean air and water, etc.

Mr. Oliveros stated that there were no ordinances in place and the Borough's hands are tied. Mr.

Mr. Rugg indicated that the problems are evident but you need to focus on the solutions to be handled by the company or the State. Contacting our State Legislators concerning the problem and go to the person that can facilitate the correction of the problem. The Borough is responsible for the Borough not State Roads.

Mr. Spinosa asked if we got together with the Railroads and have we addressed the individual that had specific complaint? We need to respond to that individual with our findings.

Mr. Turcato indicated that a written policy for timing of individual speakers will be addressed.

Mr. Turcato thanked everyone for their input and wished our Orthodox citizens a Merry Christmas.

Next Meeting Date – Regular Meeting scheduled for January 18, 2011 at 7:00 pm

Adjourn - Turcato, adjourn 8:17 pm