

**Borough of Windber
Borough Council Regular Meeting
August 17, 2010– 7:00 PM**

Call to order – Council President Anthony Turcato
Pledge of Allegiance
Roll Call - Council President - Anthony Turcato (AT), James Furmanchik (JF), Barry Jerley (BJ), George Ledney(GL), Sonya Pekala (SP) Absent, James Spinos (JS), Michael Winas (MW) Mayor Simon Ohler (SO) Absent, Borough Manager Fred Oliveros (FO), Police Chief - Rick Skiles (RS), Solicitor – Jeffrey L Berkey (JB), Recording Secretary - Cynthia McCracken
Public comment on agenda No comment
Reading of the Minutes – <ul style="list-style-type: none"> • Moved and seconded (Ledney/Winas) to approve the minutes of the previous meetings. Windber Borough Council Regular meeting of July 20, 2010, Special Meeting of August 2, 2010, Special Meeting Windber Fire-Ogle Twp and Paint Twp. of August 5, 2010 as presented. – (Motion Carried)
Correspondence <ol style="list-style-type: none"> 1) Various letters re: Officer Croyle 2) Windber Area School District 3) PSAB Trustee 4) PACOG Conference notification 5) Arcadia Theater donation solicitation 6) PSAB Training notification <ul style="list-style-type: none"> • No comments on Correspondence
Executive session – Matter of personnel and contract negotiations- 7:05 pm to 7:40 pm
Business Items <ol style="list-style-type: none"> 1) Approval of Payroll <ul style="list-style-type: none"> • <i>Moved and Seconded (Ledney/Winas) to approve Payroll – Motion carried</i> 2) Approval to Pay bills Mr. Spinos questioned the Home Depot recurring charge. Mr. Winas questioned the \$135.90 bill. Mr. Oliveros will be attending budget seminar for Borough Managers. The Gallucci bill should have come out of the Events fund not general fund. Bill for \$2500 from Johnstown for Thunder in the Valley as yet to be presented, Mr. Spinos suggested that after the bills are paid the event fund account should be closed and moved to prevent further corrections from having to be made. <ul style="list-style-type: none"> • <i>Moved and Seconded (Winas/Ledney) to approve pay the bills. - Motion carried</i> A request was made to help the Windber Museum with a \$1000 bill for maintenance to the windows in the museum. Mr. Oliveros indicated that we allocate \$500 in the Borough budget and asks the Council for the additional funds if needed later in the year. <ul style="list-style-type: none"> • <i>Motion was made and seconded (Ledney/Furmanchik) that we release \$500 from the General Fund to be allocated for repairs to the Windber Museum. Motion Carried</i> 3) Approval of Treasurer's Report Mr. Ledney indicated that the Finance committee will be meeting with the Treasurer to take care of any issues that may come up. <ul style="list-style-type: none"> • <i>Moved and Seconded (Ledney/ Winas) to approve the Treasurers Report - Opposed Furmanchik/Spinos - Motion Carried</i> 4) Approval of Cash Balance Report Mr. Spinos questioned the Recreation Fund checking disbursement of \$922.45. Mr. Oliveros explained that these bills are to be paid by the Borough for insurance etc. Mr. Ledney indicated that we are responsible for certain bills including insurance per our agreement. Mr. Spinos stated but not spraying for bugs correct. <ul style="list-style-type: none"> • <i>Moved and Seconded (Ledney/Winas) to approve the Cash Balance Report</i> <ul style="list-style-type: none"> • <i>Vote – Approve GL-MW-AT - SP absent – Opposed JF-BJ-JS (Mayor to be notified that he has 10 days to review the July cash balance report and either approve or disapprove the report and to have his vote recorded)</i>
Borough Reports <ul style="list-style-type: none"> • Mayor Simon Ohler –<i>Mayor's report was accepted as presented.</i> • Mr. Jerley asked if the Mayor went to the Municipal Authority meeting. Mr. Oliveros indicated that he did not believe the Mayor attended. Mr. Furmanchik stated that he would go. The Mayor indicated that he would attend. • Borough Manager (Fred Oliveros) – Completed Catherine and Jackson Ave paving finished. Reimbursement for Snow removal has come through from FEMA of 75% of our expenses and has

been put in the General Fund. *Accepted as presented*

- **Codes and Zoning Report** (Fred Oliveros) – Nothing to add to Tyler's report. A couple of properties that he has condemned. *Accepted as presented*
- What are we going to do with the Gas station and the building next to it? Mr. Furmanchik and Mr. Spinos indicated that these properties were a safety hazard as well as an eyesore. Mr. Spinos asked where the registration number documentation on the underground tanks is. Council is requesting that Tyler address the problems on Graham Ave.
- **Solicitor's Report** (Jeffrey Berkey) – Nothing to report. Mr. Oliveros will be reviewing the parking ordinances and plan for alternate parking during snow emergency. We will also be reviewing Borough policy on donations.

Standing Committees of Council –

- **Public Works** (Ch Jerley – Spinos – Furmanchik) – WAA Annual Report
 - **Recreation** (Ch Winas – Jerley – Turcato) - Minutes of August 5 Meeting
- No comments or further reports.

Unfinished Business

- a) Moving of Borough Offices – was to be presented with a proposal but not presented. Mr. Furmanchik and Mr. Spinos expressed their indignation regarding the fact that we own the building. There should be no question that the Borough Council be able to move into a building that we own, pay insurance and bills on. The Municipal Authority appears to feel have the only say in the disposition of the property. The Community Building parking lot is owned by the borough. When Mayor Ohler agreed to go to the meeting and Mr. Furmanchik found out that the Mayor did not attend. Mr. Furmanchik spoke to Mr. Zabloney regarding office space in the Community Building his secretary told him that he was busy and that he would be back in contact Mr. Furmanchik has yet to have a call returned. Mr. Oliveros stated he was looking for alternatives. Mr. Turcato will take care of the negotiations before the end of the month. Would like to see a copy of the Windber Municipal Authority minutes.
 - b) Meeting with Ogle and Paint Township regarding the Fire Department Mr. Furmanchik and Mr. Turcato attended a meeting at Paint Township where Rick Lohr - Emergency Management of Somerset County and George Marcinko – Former Borough Manager and Manager in East Hempfield Twp., Lancaster County, PA . Everyone was receptive to all conversation leading to all local governments getting together and having a conference to assess what we can do to keep our fire companies up and running. The gentlemen agreed to assist in the merger. We will select date for combined meeting the first Borough Meeting in September.
 - c) Air Conditioner at Train Station – Mr. Oliveros explained that the process regarding the replacement of the unit. The Tenants wanted assurance that the unit will be replaced or fixed. Mr. Ledney explained to the Tenant President that we need to get the best quote possible.
- *Motion was made and seconded (Furmanchik/Spinos) to advertize for replacement bids on the A/C unit for the train station. Motion carried.*
 - ***Bids will be opened on the 2nd meeting of the Borough September 21, 2010 7:00 pm***

New Business

- a) Replacement of the decorative light poles at Recreation Park – Regarding the light poles that are in disrepair. Mr. Oliveros has received estimates that the lights cost is \$1200. Mr. Jerley indicated that the campers rent was collected by the Borough. This should be repaired by the Borough. Cast Aluminum Base shattered, the light fixture is ok but it is one contiguous piece. How about turning into our insurance what is our deductible What you would pay a pro welder to repair may be cost prohibitive
- b) Mr. Jerley and Mr. Furmanchik expressed to Mr. Ledney that some members in council are left out of the decision making process.

Recognition of Visitors

- Andy Kondas – commented on the Brownfield presentation. Property above Mine 35 should be addressed to Berwind to take care of the property. He expressed that public monies should not be used for that cleanup.
- Who is responsible for the playgrounds –Mr. Oliveros explained that the Borough is responsible.
- Mr. Turcato indicated that the Recreation Authority may take over this responsibility in the future to maintain Borough property. Mr. Kondas indicated that the property behind that is owned by the Borough is overgrown and would like the problem addressed since it is Borough Property
- Mr. Turcato indicated that the property should be maintained to Borough Ordinance.

Next Meeting Date – Regular Meeting September 7, 2010 - 7:00 pm

Adjourn - Turcato, adjourn 8:20 pm