

**Borough of Windber
Borough Council Special Meeting
August 09, 2011 – 7:00 PM
MINUTES**

Call to order – Council President Anthony Turcato
Pledge of Allegiance
Roll Call - Council President - Anthony Turcato, James Furmanchik, Barry Jerley(absent), George Ledney, Sonya Pekala, James Spinos, Michael Winas, Mayor Simon Ohler, Borough Manager Fred Oliveros, Solicitor – Jeffrey L Berkey, Recording Secretary - Cynthia McCracken
Agenda – Municipal Authority Proposal
Correspondence 1. D.J. Murphy Real Estate August 1, 2011
Business Items 1. Review of the proposal of the Municipal Authority of allocation of space in the Community Building and cost. (on file in the Borough Office) 2. Discussion and comment by council members. 3. Discussion of the disposition of the Municipal Building 4. How do we wish to proceed?
Regarding the Meeting Scheduled August 02, 2011 @ 6:00 Mr. Turcato indicated that the Municipal Authority was concerned that they could not meet their quorum requirements. Mr. Turcato indicated that the proposal should have been presented prior to meeting with council. Mr. Spinos indicated that the Municipal Authority was prepared for the meeting last Tuesday. Mr. Furmanchik indicated that this should be a negotiation. He feels that we are wasting time not meeting with them for negotiations. Mrs. Pekala indicated that she felt more comfortable getting a consensus with Council before meeting with the Municipal Authority. Mr. Furmanchik indicated the desire to get this negotiation on track. Engineering study for the Municipal Building is not complete. Discussion of the cost of the service. Discussion on the Office and Chambers space allocated in the proposal. Concern of the size of the offices. Suggestion that the Borough Clerk could be in the vestibule at the front entrance. Mr. Turcato is opposed to our clerk being open to the public. Mr. Furmanchik is adamant that we can work in this building Mr. Turcato wants to know who is the authority in that building. Mr. Ledney’s concern is the proximity of recreation to the Borough. Mr. Furmanchik’s concern is the taxpayer. He feels that borough council has the right to be in the Municipal Building. Mr. Spinos concerned of the money lent. What was the agreement to have it paid back under the terms of the line of credit. Is it legal to earn interest on this money? Mr. Furmanchik wants to reiterate that we need to use the Taxpayer’s Dollar wisely. In order to work together he suggested that every bill that comes in is 50/50 with the Borough and the Municipal Authority. Mr. Turcato indicated that there was a fee structure presented by the Municipal Authority as a 10 year plan. Mr. Turcato indicated the need to go through the items line by line. Mr. Oliveros indicated that the Municipal Authority is reluctant to give up areas where they hold their activities. Mr Turcato asked - What options are there for needs of Council when they are growing. Mr. Spinos asked about any other suggestions for us to go. Mr. Ledney the option of putting something in the parking lot like a double wide. The buildings are not destined for life as a public building. – If you are thinking about a new structure. Technologically speaking it would be more energy efficient. Mr. Furmanchik commented about new construction. Mr. Turcato – the ProMed building is that we were on the same page in the past. Mr. Ledney indicated that they have not responded to inquiries regarding the lease. The need to create a maintenance program for all buildings owned by the Borough

Discussion of the rent on the ProMed building.

Question to Mr. Berkey – What rights do we have? Mr. Berkey reiterated a previous statement that the Borough needs to negotiate in good faith and must adhere to the lease agreement. There is a 60 days notification clause in the ProMed lease.

Mr. Spinos commented about Mr. Oliveros's observation that we will have to help with the maintenance of the buildings owned by the Borough.

Mr. Furmanchik Indicated that if the Borough could partner with the Municipal Authority 50/50 so we could help with the maintenance of the building.

Mr. Turcato asked what do we send them.

Mr. Furmanchik stated that he feels that any floor plan is acceptable to him.

Mr. Spinos suggested that they have a maintenance account for repairs.

Mr. Oliveros suggested that 2 council members should meet with 2 members of Municipal Authority.

Mr. Furmanchik and Mr. Spinos feel that there should be a complete complement of members of both the Borough and the Municipal Authority.

Mr. Berkey indicated that the entity was designed to be flexible.

Mr. Berkey indicated that the Borough is responsible for the improvements.

Need to define expenses.

Mr. Turcato indicated that there has been no capital improvements on the building and/or the park.

Listed the following as areas that need to be researched:

- Utilities

- Routine capital improvements

- Day to day maintenance.

- Change the amount of the rent to ½ of the proposal.

Mr. Oliveros to analyze the costs.

Mr. Ledney asked Mr. Oliveros to touch base with ProMed about their intentions and the price/square ft.

Direct Mr. Berkey to put together a deed with restrictions for the Borough Building before it is put up for sale.

Mr. Ledney asked if we give the building away is there a monitoring system for the maintenance.

Mr. Spinos asked about Auction and on bids.

Mr. Berkey indicated that the Borough Code is very specific on your course of action.

- *Motion was made and seconded (Pekala/Ledney) to authorize Solicitor Berkey to prepare a deed of sale with restrictions for the existing Borough Building. (Motion Carried)*

Unfinished Business

Directed Mr. Oliveros to keep negotiations open with the Municipal Authority regarding cost sharing and moving the Borough offices into the Community Building.

Next Meeting Date – Summer months – one regular meeting on the third Tuesday of each month.

Next regular meeting would be scheduled for August 16, 2011 7:00 pm at Public meeting with Brownfields @ 6:30pm

Adjourn - Turcato, adjourn 8:35 pm