

Business Items

1. Approval of Payroll
 - *Moved and seconded (Furmanchik/Winas) to approve Payroll – (Motion Carried)*
2. Approval to Pay bills
 - *Moved and seconded (Pekala/Furmanchik) to approve pay the bills - (Motion Carried)*
 - Remarks – Mr. Oliveros regarding the heating repair at the Community Building of \$5,860 that is too much for them. Mr. Oliveros indicated that there was \$16,000 in the park and recreation fund. \$10,000 is set aside for the Recreation Department line of credit. There is \$6000 that was made before they actually took over. Mr. Oliveros recommends that the \$6000 be used to pay this bill. Mr. Oliveros & Mr. Furmanchik would like them to pay some amount. Mr. Oliveros to negotiate with the Municipal Authority to pay a portion of the bill and to enclose a letter of explanation to Marc Services regarding the delay.
 - *Moved and seconded (Ledney/Pekala) to pay the bill presented by Windber Area Community Authority for heating repair due to Marc Services. (Motion Carried)*
3. Approval of Treasurers Report
 - *Moved and seconded (Ledney/Winas) to approve Treasurers Report – Opposed Furmanchik/Spinis/Jerley (Motion Carried)*
4. Approval of Cash Balance Report
 - *Moved and seconded (Pekala/Ledney) to approve Cash Balance Report – Opposed Furmanchik/Spinis/Jerley (Motion Carried)*
5. Approval of bid for Spring clean up June 2011.

Interstate, Gallucci, Waste Management, Yonish - Waste Management responded. Mr. Oliveros would like to lower the price from \$50 to \$40. \$45 was proposed by Mr. Furmanchik to split the difference.

 - *Motion was made and seconded (Furmanchik/Spinis) to charge \$45. (Motion Carried)*
6. Windber Fire Company #1 request for partial Donation Payment of \$15,000.00
 - *Moved and seconded (Furmanchik/Jerley) to sponsor Windber Fire Company #1's request for partial Donation payment in the amount of \$15,000.00 – (Motion Carried)*
 - *Aaron indicated that the letter was incorrectly written and clarified the portions regarding entertainment be amended for day to day expenses.*
7. Windber Public Library request disbursement of the first \$7500 from the allocation of \$15,000.
 - *Moved and seconded (Winas/Ledney) to grant Windber Public Library request to disburse the first \$7500 from the allocation of \$15,000. – (Motion Carried)*
8. Windber Miners' Memorial Committee requesting donation for the 12th Anniversary Celebration on June 17,18,19, 2011.
 - *Moved and seconded (Pekala/Ledney) to make a donation to Windber Miners' Memorial Day 12th Anniversary in the amount of \$500 – (Motion Carried)*
9. Windber Fire Company #1 request permission to close Graham Ave from Jefferson Ave to 13th St and 15th Street from Graham Ave to the alley before the railroad tracks.
 - *Moved and seconded (Spinis/Furmanchik) to approve Windber Fire Company #1's request to Close Graham Av from Jefferson Ave to 13th and 15th Street from Graham Avenue to the Alley before the Railroad Tracks from Friday June 24th from 1700 – 0100 and Saturday June 25th from 1200 - 0100 with every effort to – (Motion Carried) Opposed Winas*
 - *Mr. Winas qualified his vote to yes as long as Patty's restaurant is not impeded.*
 - *Aaron is to contact Patty's Restaurant to reassure them that they will do everything to insure that this is addressed.*
 - *Mr. Oliveros is instructed to find out who owns the parking at Patty's Restaurant.*
10. For the Fallen request permission to use the Community Building Parking Lot Friday, August 5th thru Saturday, August 6, 2011 ride leaving Windber Hotel at 12:00 noon returning approximately 4:00 pm including the request to close Graham Ave behind the hotel to begin at 3:30pm.
 - *Moved and seconded (Jerley/Spinis) to grant consideration to give permission For the Fallen to use the Community Building Parking Lot August 5 & 6, 2011. The For the Fallen ride leaving Windber Hotel at 12:00 returning approximately 4:00 pm with the request to close Graham Ave between the alley behind the hotel and Jefferson Avenue to begin at 3:30pm until 8:00 pm – (Motion Carried)*
 - *Motion clarified that both parts of the request be included in the previous motion. Opposed – Mr. Winas*

- Mr. Oliveros to notify the Fallen of request.

Executive session regarding 2 potential legal issues regarding Blighted property and abandonment of rail lines. 7:42 pm - 8:12 pm

**Borough Reports –
Standing Committees of Council –**

1. Properties (Ch Furmanchik – Winas – Spinosa) – Mr. Furmanchik asked if there is any status change to the lease agreement for the ProMed “Train Station”. He would like to keep the revenue flowing from these businesses and do everything the Borough can to keep these businesses in the Borough and the revenue flowing into the Borough from the rental of that property.
2. Mayor Simon Ohler – Mayor’s report was accepted as presented.
Mayor Ohler specifically pointed out the revenue generated by the Police department for the Borough.
Municipal Authority has a vacant seat. The Mayor feels that a Council member should sit on the Municipal Authority and Windber Area Authority Boards.
Request for consideration for an appointment to Windber Municipal Authority by Thomas Geiger
 - *Motion was made and seconded (Ledney/Pekala) to fill said vacancy for the remaining term of the vacancy. (Motion Carried Unanimously)*
 - *Mr. Oliveros is to contact them regarding any other vacancies that may exist or upcoming.*
3. Borough Manager (Fred Oliveros) –
 - Regarding paving - CBG entitlement will be holding a pre-bid conference April 21st and will be opened and awarded April 27th. They will start on the storm water line and then the paving. They would like to award one contractor for the storm water line and one contractor for the paving from Graham Avenue down 28th to the Creek. Paving includes 29th Street, 17th from railroad tracks to the dead end. The alleys on the upper side of Railroad Street will be paved and depending on how much money is left they will do the lower side alleys some of which have been paved previously.
 - Electrical cables contract drawn up at \$10 per cable up to \$150. A deposit of \$150 to be returned if the cables come back undamaged.
 - *Motion to approve (Furmanchik/Pekala) to approve the Electrical cable contract as stated. (Motion Carried)*
4. Codes and Zoning Report (Fred Oliveros)
Old gas station at 1718 Graham Ave. DEP indicated that the tanks have to be changed no matter if a new station is put in or not.
 - *Motion was made and seconded to accept the Monthly report dated March 1 – March 31, 2011 inspection activities, code enforcement, including DEP findings of facility located at 1718 Graham Avenue, Windber, PA. (Motion Carried)*
 - The Old Timko Building is making progress.
Discussion regarding notification of owners ignoring ordinance violations and fines. It is the responsibility of the Borough to serve papers. We can look into a process server in the area.
 - *Motion was made and seconded (Furmanchik/Spinosa) that we look into the feasibility of engaging a process server (Motion carries)*

Old Sheetz Building has been sold.
Best Form building is in negotiation with the two owners and will be sold. It now stands empty.
5. Solicitor’s Report (Jeffrey Berkey) – Nothing to report

Unfinished Business

1. Establishment of a 9/11 Commemoration Commission
School district has been contacted and they are receptive in participating.
Windber Ministerium has appointed someone.
WAVE and Windber Fire Department will participate.
 - *Motion is made and Seconded (Pekala/Ledney) to appoint Mr. Turcato to chair that committee Mr. Turcato abstained (Motion Carried)*

New Business

1. James and Ann Petrunak request to limit parking to 1 hour from the hours of 8am – 4pm Monday through Saturday.
 - Discussion regarding the request and findings by Borough members and the Borough Manager. The bank is aware of the offer but has issues of the delivery trucks etc.
Mr. Petrunak is making progress and bringing in tax revenue and jobs to the community and we should honor his request.

- Mr. Oliveros and Mr. Skiles to amend the 2 hour parking limitation ordinance to 1 hour with times of restriction and bring back to Council for approval and advertising.
 - Council advised Mr. Oliveros to notify that Mr. Petrunak that we are working to amend the ordinance and will revisit at the next Borough meeting.
2. Street parking blocking either an alley or driveway and to research which one it is.
 3. Request from Mr. Turcato to officially appoint Mr. Winas to the Regional Recreational Advisory Board as he has been representing the Windber Municipal Authority and the Regional Recreation Advisory Board regarding Grant money.
 - *Motion made and seconded (Ledney/Pekala) to make Mr. Winas' appointment to the Regional Recreational Advisory Board official .*
 4. Presented the Somerset Public Comment Policy Somerset Borough Public Comment policy for consideration.

Recognition of Visitors –

Jack Cardone – Concern regarding 23rd Street which is above the Windber High School's auditorium condition as dangerous and a potential hazard.
 Mr. Spinosa suggested the Borough get an estimate to pave the extra one half block from Quaker Sales Paving.
 Mr. Oliveros to research the addition of 23rd St from Cambria Ave to the woods as an addition to the Quaker Sales Paving bid.

Next Meeting Date – Regular Meeting scheduled for May 3, 2011 at 7:00 pm
 Second monthly meeting will be scheduled for Tuesday May 24, 2011
 Would like to have a special meeting for Railroad St with Rosebud Mining with facts and findings to be May 3rd at 7:00 pm.

Adjourn - Turcato, adjourn 8:20 pm