

Borough of Windber
Borough Council Regular Meeting
January 3, 2012 – 7:00 PM
MINUTES

Call to order – Mayor Simon ‘Red’ Ohler
Pledge of Allegiance
Roll Call - James Furmanchik, John Holden, Barry Jerley, George Ledney, Sonya Pekala, James Spinos, Anthony Turcato, Mayor Simon Ohler, Borough Manager Fred Oliveros, Solicitor – Jeffrey Berkey, Recording Secretary - Cynthia McCracken
On December 20, 2011 Judge Cannoni officiated during the Swearing in Ceremony of : Duly elected Mayor Simon ‘Red’ Ohler and Duly elected Council Members James Furmanchik, Anthony Turcato, John Holden
Nomination and election of President of Council (New President assumes gavel) I, Mr. Furmanchik, nominate Mr. Spinos for election of President of Council. Mr. Spinos declined the nomination I, Mr. Turcato, nominate Mrs. Pekala for election of President of Council. Mrs. Pekala accepted the nomination. <i>Roll call - Turcato (y), Furmanchik (n), Holden, (n), Jerley (n), Ledney (y), Pekala (y), Spinos (n)</i> <i>Nomination Fails (4-3)</i> I, Mr. Spinos, nominate Mr. Jerley for election of President of Council. <i>Roll call - Spinos (y), Furmanchik (y), Holden (y), Jerley (y), Ledney (n), Pekala (n), Turcato (n)</i> <i>Duly Elected (4-3)</i> <i>Duly Elected President of Council Mr. Jerley assumed the Gavel.</i>
Nomination and election of Vice President of Council I, Mr. Spinos nominate Mr. Furmanchik for election of Vice President of Council. Mr. Furmanchik accepted the nomination. <i>Roll call - Spinos (y), Furmanchik (y), Holden, (y), Jerley (y), Ledney (n), Pekala (n), Turcato (n)</i> <i>Duly Elected (4-3)</i> <i>Duly Elected Vice President Mr. Furmanchik.</i>
Nomination and election of President Pro Tem of Council I, Mr. Furmanchik, nominate Mr. Spinos for election of President Pro Tem of Council. Mr. Spinos accepted the nomination. <i>Roll call - Furmanchik (y), Holden, (y), Jerley (y), Ledney (y), Pekala (y), Spinos (y), Turcato (n)</i> <i>Duly Elected President Pro Tem of Council Mr. Spinos.</i>
Appointment of Solicitor – Fike, Cascio, & Boose <ul style="list-style-type: none"> • <i>Moved and seconded (Furmanchik/Spinos) to approve the appointment of the Fike, Casco, & Boose Attorneys at Law</i> • Question whether Mr. Berkey would be our direct representative of council Mr. Ling or Mr. Bittner may attend if needed. Would it be a conflict if dated moved to 2nd and 4th? Mr. Furmanchik asked if there was an increasing amount of calls to council. Suggested that calls should only come from the Borough Manager who serves as CEO of the Borough unless approved by Council. <i>Roll call - Furmanchik (y), Spinos (y) Holden, (y), Jerley (y), Ledney (y), Pekala (y), Turcato (y)</i> <i>Motion Carried Unanimous</i>
Appointment of Auditor of the Borough – Kotzan CPA <ul style="list-style-type: none"> • <i>Moved and seconded (Furmanchik/Spinos) to approve the appointment of Kotzan CPA as auditor of the Borough.</i> <i>Roll call - Furmanchik (y), Spinos (y), Holden, (y), Jerley (y), Ledney (y), Pekala (y), Turcato (y)</i> <i>Motion Carried Unanimous</i>
Appointment of Borough Treasurer and Secretary tabled until after Executive session.
Approval of banking institutions: First Commonwealth, First National Bank, Slovenian Savings & Loan , and AmeriServ Financial Bank <ul style="list-style-type: none"> • <i>Moved and seconded (Pekala/Spinos) to approve the of banking institutions: First Commonwealth, First National Bank, Slovenian Savings 7 Loan , and AmeriServ Financial Bank</i> <i>Roll call – Pekala (y), Spinos (y), Furmanchik (y), Holden, (y), Jerley (y), Ledney (y), Turcato (y)</i> <i>Motion Carried Unanimous</i>
Approval of 2012 Paint Township Police Roster 40.11 <ul style="list-style-type: none"> • <i>Moved and seconded (Spinos/Ledney) to approve the of 2012 Paint Township Police Roster</i> Remarks: we have the roster <i>Roll call –Spinos (y), Ledney (y), Furmanchik (y), Holden, (y), Jerley (y), Pekala (y), Turcato (y)</i> <ul style="list-style-type: none"> • <i>Motion Carried Unanimous</i>

<p>Approval of the payment of remaining bills for 2011</p> <ul style="list-style-type: none"> Moved and seconded (Pekala/Furmanchik) to approve the payment of remaining bills for 2011. (Motion Carried Unanimous)
<p>New Business – New Business Roll call - Furmanchik (n), Holden, (y), Jerley (n), Ledney (y), Pekala (y), Spinos (n), Turcato (y)</p>
<p>Appointment of Direct Contact to Library Board – Mr. Ledney - Accepted</p>
<p>Appointment of Direct Contact to School District - Mr. Spinos- Accepted</p>
<p>Appointment of Direct Contact to Fire Department - Mr. Furmanchik - Accepted</p>
<p>Appointment of Direct Contact to Municipal Authority - Mr. Holden - Accepted Mr. Holden asked that Cheryl send letters to the various entities introducing the Direct Contact with their purpose and contact information and request calendar if meeting dates.</p>
<p>Moving the meeting dates to the 2nd and 4th Tuesday of the month</p> <ul style="list-style-type: none"> Moved and seconded (Furmanchik/Spinos) to move the meeting dates to the 2nd and 4th Tuesday of the month. (Motion Carried) <p>Roll call - Furmanchik (y), Spinos (y), Holden, (y), Jerley (y), Ledney (y), Pekala (y), Turcato (y) Motion Carried Unanimous</p>
<p>Appointment of Direct Contact to Task Force for the Fire Departments – Mr. Turcato - Accepted</p>
<p>Appointment of Direct Contact for United Churches of Windber – Mrs. Pekala - Accepted Mr. Jerley asked that if the Direct Contacts of Council are unable to attend the meetings that they contact Mrs. Pekala</p>
<p>Revisit the Appointment member of Council to Windber Area Authority. Mr. Berkey explained case law of the current governing body’s authority to revisit appointments made during the Lame Duck period.</p> <ul style="list-style-type: none"> Moved and seconded (Spinos/Furmanchik) to revisit the appointment to Windber Area Authority Board of Directors. <p>Mr. Turcato indicated that he is willing to resign his position. Mr. Turcato subsequently resigned from the Board of Windber Area Authority.</p> <ul style="list-style-type: none"> Mr. Furmanchik and Mr. Spinos nominated Mr. Jerley to fill the Windber Area Authority Board position. <p>Roll call –Furmanchik (y), Spinos (y), Holden (y), Jerley (y), Ledney (y), Pekala (n), Turcato (y) (Motion Carried)(6-1)</p> <p>Mr. Mat Melvin was asked to verify the positions on the reappointment.</p> <p>Mr. Spinos asked about the contracts with Herbert CPA. Three Year agreement approved and signed on October 18th. Mr. Oliveros indicated that there is a signed document for 2012-2013-2014. Mr. Furmanchik asked if there was any termination clause in the agreement for Council to revisit. Mr. Berkey was asked if this would fall under the lame duck? Mr. Ohler indicated that anything that happened during the last meeting of Borough Council is considered lame duck.</p>
<p>Ratification of the appointments</p> <ul style="list-style-type: none"> Moved and seconded (Spinos/Furmanchik) to ratify all appointments. Roll call - Spinos (y), Furmanchik (y), Holden, (y), Jerley (y), Ledney (y), Pekala (y), Turcato (y) Motion Carried Unanimously
<p>Recognition of Visitors – No visitors signed in</p>
<p>Executive session regarding personnel @ 7:40 pm Back in session @ 8:01 pm</p>
<p>Appointment of Borough Treasurer & Borough Secretary - Mr. Oliveros</p> <ul style="list-style-type: none"> Moved and seconded (Pekala/Furmanchik) to approve the appointment of Fred Oliveros as Temporary Borough Treasurer & Secretary until arrangements. (Motion Carried) <p>Roll call - Pekala (y), Furmanchik (y), Holden, (y), Jerley (y), Ledney (y), Spinos (y), Turcato (y) (Motion Carried Unanimously)</p>
<p>Mayor Olher issued the oath of office to Mr. Jerley for his new appointment to Windber Area Authority Board of Directors</p>
<p>Next Meeting Date – Next regular meeting January 24, 2012 @ 7:00 pm</p>
<p>Adjourn - Mr. Jerley, adjourn 8:04 pm</p>