

Borough of Windber
Borough Council Regular Meeting
March 15, 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), Barry Jerley (BJ) Late 7:07 pm, George Ledney (GL), Sonya Pekala (SP), James Spinos (JS), Michael Winas (MW) Mayor Simon Ohler (SO), Borough Manager Fred Oliveros (FO), Solicitor – Jeffrey L Berkey (JB) absent, Recording Secretary - Cynthia McCracken
Public comment on agenda – no comment
Reading of the Minutes – <ul style="list-style-type: none">• <i>Moved and seconded (Furmanchik/Spinos) to approve the minutes of the previous meeting as presented. (Motion Carried)</i>
Correspondence <ol style="list-style-type: none">1) US Census Bureau (Estimate) came in over 4000.2) Invitation from Windber Area Recreation Commission on March 28 at 6:30 pm – Windber Community Building3) Municipal Authority did make a profit at the end of 2010 of \$3642.51 and in that 9 month period they made a complete turnaround of recreation of \$69,586.66 including the \$2,000 loss in 2009.4) Barclay Electric – Donation of services<ul style="list-style-type: none">• Mr. Furmanchik suggested that the Borough Manger send a thank you note to Barclay Electric thanking them for the donation of services taking down the Christmas decorations.5) UGI – Natural Gas Pipeline Awareness Program6) PSAB Update
Business Items <ol style="list-style-type: none">a Approval of Payroll<ul style="list-style-type: none">• <i>Moved and seconded (Winas/Ledney) 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>• Remarks – Question from Mr. Turcato regarding the maintenance agreement of the traffic light at 24th and 56. Mr. Oliveros is directed to write a letter regarding the bill including the agreement made by the Borough, School District and the Stadium Association when light was put in during the mid 1980s that these expenses are to be split three (3) ways.c Approval of Treasurers Report<ul style="list-style-type: none">• <i>Moved and seconded (Pekala/Ledney) to approve Treasurers Report – Furmanchik/Spinos/Jerley opposed (Motion Carried)</i>d Approval of Cash Balance Report<ul style="list-style-type: none">• <i>Moved and seconded (Pekala/Ledney) to approve Cash Balance Report – Furmanchik/Spinos/Jerley opposed (Motion Carried)</i>e Consideration for adoption of Ordinance 2011-3 Amending an Ordinance of the Borough 095-4 Dated 12/11/1995 - Prohibiting of parking on Graham Avenue 23 – 25th street adjacent to the High School.<ul style="list-style-type: none">• <i>Moved and Seconded (Furmanchik/Pekala) to adopt adoption of Ordinance 2011-3. Amending an Ordinance of the Borough 095-4 Dated 12/11/1995 providing for parking restrictions within the Borough. (Motion Carried Unanimously)</i><ul style="list-style-type: none">• Roll call vote – Mr. Furmanchik (Y) Mrs. Pekala (Y) Mr. Jerley(Y) Mr. Ledney (Y) Mr. Spinos (Y) Mr. Turcato (Y) Mr. Winas(Y) (Motion Carried Unanimously)• Question when signs would be put in consisting of 4 signs and painting curb yellow and how are we going to put them in?• Chief Skiles will be meeting with School Bus companies to inform them of the ordinance.f Consideration of a curb cut request from Elizabeth Matera of 1002 Cambria Avenue. Mrs. Matera would like to put a driveway in so that she can park off street.<ul style="list-style-type: none">• <i>Moved and Seconded (Ledney/Furmanchik) to approve Curb cut request – (Motion Carried)</i>

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

- 1) Properties (Ch Furmanchik – Winas – Spinosa) –
Mr. Spinosa asked if we have heard anything from ProMed on lease. Mr. Oliveros indicated that nothing has been received. Mr. Berkey indicated that they have a renewal provision for another 3 years and that we will not have a renewal option in the next lease. The lease expires in December.
- 2) Mayor Simon Ohler – Mayor's report was accepted as presented.
 - 160 calls in the Police report with \$7,043.69 fines collected in January and February. Everything seems to be going OK with the Police agreement.
 - Observation - we should look at the 4th Part time person making this maintenance position a full time position.
- 3) Borough Manager (Fred Oliveros) – Reported on the following
 - a) Community Bldg & Municipal Authority
 - b) Meeting with Jim Spinosa the Fire Department and Jeff Berkey for the events that will be happening in the Borough. Mayor Ohler would like them to get their licenses and insurances to the Mayor and the police department before the required 30 days prior to the events.
 - c) Fire Department asked to close Graham Avenue between 13th – 15th for Windber Rumbles and events. The Mayor requested that they send a letter to the Mayor's office for the request.
 - d) Meeting with Penn Dot - Mr. Spinosa asked how much we have put away for paving. Liquid Fuels budget is the determining Upper section of 23rd St requested paving - 21st St tracks and on Graham Avenue. They want to know why the individuals who own them need to take care of them. Mr. Turcato asked what position can the Borough take to take out the crossing. We would like the Commonwealth to take the tracks out crossing the State roads and pave the road. Mr. Turcato asked that Mr. Oliveros contact PennDot to pull the tracks before paving begins.
 - e) Census
 - f) Paving of SR 160 (Graham Avenue) – the Commonwealth has indicated that it would happen no earlier than April. The only paving scheduled is Somerset Avenue from 18th – 23rd. Other paving requests depend on money.
 - g) Levee encroachments – removal of trees as there is an inspection pending.
 - h) Is there a possibility to have the sidewalk for better access to BiLo from the Towers.
 - i) Route 56
 - j) Part Time Laborer
 - *Moved and Seconded (Pekala/Ledney) to approve (Motion Carried)*
- 4) Codes and Zoning Report (Fred Oliveros)
Can anyone report maintenance violations to the Borough Manager? Mr. Jerley asked if Tyler would be around more often or if the road crews see a violation to inform Tyler or the Borough Manager.
Mr. Furmanchik made an observation that most of the problem is with rental properties. Mr. Jerley asked whether the owner and the tenants are notified. It was indicated that both owner and tenants be notified.
- 5) Solicitor's Report (Jeffrey Berkey) –
Mr. Berkey was asked What is the actual procedure to issue a bond, and do you have to have a referendum to incur debt over your set limit? This is determined by the current debt limits where the Borough's debt falls within that limit and what is the procedure. We can look at the audit to find out where the current debt falls and where is that in reference to the set limit.

Unfinished Business

1. Mr. Oliveros will purchase the trees and notify the donors of their replacement and their location.
2. Mr. Furmanchik made an observation that most of the problem is with rental properties. Both owner and tenants be notified. Discussion regarding the problems of blight, maintenance, rail cars, alleys, paving. Money is always the problem.
3. Code violation regarding the Rail Cars to be removed. Mr. Metka's is the owner of the Rail Cars. His original intention was to collect and repair the rail cars. We can abate the nuisance. Mr. Erickson indicated that Mr. Metka was to take action. Is there a way to take ownership of the rail cars so we can get things taken care of.
4. Mr. Spinosa asked about Marty Kline – He has been sited and can be fined in abstentia. Has anything been heard regarding the tanks from DEP.

New Business

1. Spring Clean up (June 8 - 10)
Mr. Oliveros will send out letters for bids will be going out regarding spring clean up to the hauling contractors.
2. Mr. Furmanchik asked whether the street sweeper is ready to go. He also suggested the need to set up a schedule to do every street at least once per year.
3. Windber Museum request for painting and repairs. Mrs. Pekala would like to get a list of the items to be repaired and prioritized before sending out for bids.
4. Discussed the needed repairs of the community building – Mr. Oliveros indicated that the heating system and the air conditioning system are tied together with the condensers located on the roof. The leaks are from the unit. Mr. Spinos suggested the installation of vented gas heating units may be the answer to heat the gym next season.

Recognition of Visitors –

Mr. Kondas – Rosebud has the wheel wash system running and things are getting better.
Commented on the alley problem.

Next Meeting Date – Regular Meeting scheduled for April 5, 2011 at 7:00 pm with notification by the Borough Manager

Adjourn - Turcato, adjourn 8:20 pm