

**Borough of Windber
Borough Council Regular Meeting
May 3, 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) absent, Barry Jerley (BJ) absent, George Ledney (GL), Sonya Pekala (SP) absent, James Spinos (JS), Michael Winas (MW), Mayor Simon Ohler (SO), Borough Manager Fred Oliveros (FO), Solicitor – Jeffrey L Berkey (JB) late 7:02, Recording Secretary - Cynthia McCracken
Public information meeting for Rosebud Mining, DEP and the Residents of Railroad Street.
Public comment on agenda – no comment
Reading of the Minutes – <ul style="list-style-type: none"> • <i>Moved and seconded (Ledney/Furmanchik to) approve the minutes of the previous meeting as presented with the following correction. (Motion Carried)</i>
Correspondence <ul style="list-style-type: none"> • <i>Eureka Coal Heritage Assn.</i>
Business Items <ol style="list-style-type: none"> 1. Approval to Advertize Parking ordinance 2011-4. <ul style="list-style-type: none"> • <i>Moved and seconded (Ledney/Spinos) to advertise the Parking ordinance 2011-4 (Motion Carried)</i> • Remarks – Should limit the hours of the ordinance to 4:00 pm. 2. Approval of Resolution 4 endorsing the International Tour de Toona. <ul style="list-style-type: none"> • <i>Moved and seconded (Ledney/Spinos) to approve support of the Tour de Toona - (Motion Carried)</i> • Remarks –160 need municipalities approval Mr. Turcato indicated that we have supported in past 3. Approval of or consideration of street closing request for Miner's Memorial Day. <ul style="list-style-type: none"> • <i>Moved and seconded (Spinos/Winas) to approve the Street closing request for Miner's Day. (Motion Carried)</i> • Remarks - Mr. Turcato requested that the organizers contact Mr. & Mrs. Rummel contact regarding street closing. 4. Windber Church of God requesting permission of Windber Gazebo area of another Block party with a street closure of 14th – 15th. On Wednesday June 1st 6:00 – 8:00 pm. <ul style="list-style-type: none"> • <i>Moved and seconded (Spinos/Winas) to approve the Street closing request for Windber Church of God Block Party. (Motion Carried) (Motion carried)</i> • Mr. Oliveros to look into the liability insurance.
Unfinished Business <ul style="list-style-type: none"> • <i>Summary of meeting regarding coal mining issues in Mine 35 & Mine 36. Mr. Turcato & Mr. Oliveros got together with the various agencies and other entities that are involved. Mr. Oliveros has the chronology of the events that took place. Mr. Oliveros read the Railroad Street Coal mine Issues Borough Summary of meetings with Various entities (see May 3, 2011 Document)</i>
Recognition of Visitors – <i>Comments from the assembly (some identified others not identified)</i> Stanley Wright – <i>Rosebud is not a good neighbor. Filth is incredible. The issue is the quality of life. Mr. Turcato says that there has been a DEP Study. If they can use a different route the property is private property owned by Cooney Brothers. They were receptive in the 90's. Safety study is being done by the Borough and PennDot. Mr. Forrest is cognizant of the dangers of the truck traffic. Mr. Chippie asked if anyone has presented the statistical facts of the safety and air quality studies. Mr. Oliveros to make the necessary inquiries to get the published studies with the raw data. The train timing was brought up is it possible to limit the hours. Mr. Turcato asked Mr. Wright to provide the attorney in Pittsburgh that will be willing to help. Mr. Spinos indicated that the Borough is trying to work this out. Hopefully the safety study will help. Mr.</i>

*Spinos indicated that the residents should take the next step to contact the state.
Mr. Kondas indicated that there should be a reduction in speed limit. The Police need our help by citizens to report the name of the company.
Mr. Oliveros is the contact person for Rosebud Mining Co.
Mayor Ohler indicated that the independent dust study that may challenge the State study.
Mr. Oliveros to check into the surfactant that is sprayed on the cars as it would pertain to the piles.
Mr. Turcato indicated that the Council continues to be vigilant.
PennDot was receptive to asphaltting the berm next year.
Are there any plans to repair 17th Street where the road is actually tilting toward the houses down the sidewalk. The road is bonded. Mr. Oliveros to look into the repairs.
Mr. Turcato thanked all citizens for coming.*

Executive session re: Potential legal matter 8:22 – 8:32

Next Meeting Date – Regular Meeting re-scheduled to Tuesday May 24, 2011 due to Election day falling on May 17.

Adjourn - Turcato, adjourn 8:30 pm