

**Borough of Windber
Borough Council Regular Meeting
October 5, 2010 – 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), George Ledney(GL), Sonya Pekala (SP), James Spinos (JS), Michael Winas (MW) Mayor Simon Ohler (SO), Borough Manager Fred Oliveros (FO), Police Chief - Rick Skiles (RS), Solicitor – Jeffrey L Berkey (JB) Absent, Recording Secretary - Cynthia McCracken
Public comment on agenda - Mr. Kondas commented on the Air condition replacement in the Old Train Station. Mr. Kondas voiced the opinion that the Borough should not incur the expense for a larger air conditioning unit. The business requesting the upgrade should pay the difference. No other comment
Reading of the Minutes – <ul style="list-style-type: none"> • Moved and seconded (Ledney/Winas) to approve the minutes of the Windber Borough Council Regular meeting of September 21, 2010.– (Motion Carried)
Correspondence <ol style="list-style-type: none"> 1) Comcast 2) PSAB 3) Annual Leaf Collection beginning 10/17 ending 11/19/2010 4) Halloween Trick or Treat night: Windber Borough, Paint Twp and Scalp Level October 28th 6-8 pm 5) Halloween parade October 30, 2010 @ 1:00 pm registration call 467-7111 6) Windber Coal Heritage Center Nights of fright ... 10/25 – 10/30 3:00 pm – 9:00 pm w/ schedule No other comments on Correspondence
Executive session – Matters of contract negotiations – 7:03 pm to 7:30 pm
Business Items <ol style="list-style-type: none"> a) Approval of Payroll • Moved and seconded (Ledney/Pekala) to approve the payroll. - (Motion carried) b) Approval to Pay bills • Moved and seconded (Winas/Pekala) to approve pay the bills. Mr. Spinos questioned the bill from Sherwin Williams of \$1900 for curb paint. Mr. Spinos questioned whether we can buy this at bulk. Mr. Oliveros to research the coop pricing for bulk items. (Motion Carried) c) Resignation of part time laborer Robert Keyser. • Moved and seconded (Furmanchik/Pekala) to Accept Robert Keyser's resignation. (Motion Carried) d) Approval of Revised Emergency Operation Plan Resolution 2010 – 6 & NIMS compliance statement. • Moved and seconded (Spinos/Jerley) to approve the Revised Emergency Operation Plan Resolution 2010-g & NIMS compliance statement. (Motion Carried) e) Approval of Minimum Municipal Obligation for 2011 Non Uniform Pension Plan • Moved and seconded (Ledney/Pekala) to table until we speak with legal counsel about the Minimum Municipal Obligation for 2011 Non Uniform Pension Plan. (Motion Carried) f) Execution of the Joint Agreement creating the WATCB. • Moved and seconded (Ledney/Pekala) to approve executing the Joint Agreement creating the WATCB that has been approved by the Solicitor. (Motion Carried) g) Electrical Rate Increase – removing the caps on electrical rates. Mr. Oliveros is looking for better rates. State Legislature is looking to cover municipalities has not passed in the house. Mr. Spinos suggested that we look into replacement of fixtures that will be unavailable in the future. We need to keep abreast of the situation and the potential of getting all Municipal entities and the Windber Area School district involved

- **Moved and seconded (Pekala/Spinos) to approve investigating bulk purchase of electricity for the Borough - (Motion Carried)**

Borough Reports - deferred to October 19, 2010 meeting

Standing Committees of Council – deferred to October 19, 2010 meeting

Unfinished Business

- a) Moving of Borough Offices – Mr. Beahr approached Mr. Ledney re: renting a portion of the C&C building. Mr. Oliveros to contact Mr. Beahr regarding his proposal.
- b) Mr. Spinosa questioned when the move will take place, and the method of encapsulation of the asbestos. Mr. Oliveros explained that the asbestos was encapsulated as per accepted methods. Mr. Oliveros estimated that this move could possibly take place by the end of the month barring any unforeseen delays.
- c) Mr. Furmanchik reiterated that the winterization should be professionally done, and that the stairwell be blocked at the bottom to minimize heat loss in the winter months. Mr. Spinosa asked that preference should go to local area plumbers.
- d) Review of Bids for Replacement of Air Conditioner – Old Train Station
- **Move and seconded (Furmanchik/Pekala) that the replacement of the air conditioner contract to reject all bids at this time. - (Motion Carried)**
Discussion that the air conditioner should be tabled for further research.
- e) Mr. Oliveros to write a note that the street closure request was approved.
- f) Sign for Palumbo, all stainless. Mr Spinosa is asking for \$300.00 for all stainless steel 22" x 6' The Blue vinyl 18" lettering will be encased in stainless.
- **Move and seconded (Furmanchik/Jerley) to approve no more than \$300.00 for the signs. (Motion Carried)**
- g) Mr. Oliveros to invite Rosebud to council meeting in November. Mr. Turcato suggested that the meetings should take place every six (6) months.
- h) Discussion re: the new crossing and that Windber Borough Police will be monitoring the crossings to make certain that the lights are working properly and the citizens are paying attention to the crossing laws. Also noted were other various railroad crossings on Somerset, 21st and 25th St. and 15th St crossings were mentioned.
- i) Friday the 15th at 10:30 PUC – PennDot and Mr. Erickson
- j) Director from EPA doing a workshop scheduled October 19th at 6:30 pm before Council meeting

New Business

- Bridge on 22nd and 24th St – Mr. Turcato wanted to know when they were inspected. Mr. Oliveros stated that the recommendation from the State that they be replaced. Need to do something to do about the railings on 22nd and 24th. Mr. Oliveros to look in to the railing issues on the bridge.
- 21st St flooding can be cured by paving the road.
- Trees along the creek between 22nd & 24th St. present a potential for flooding. Mr. Turcato suggested that we have the obligation to mitigate any potential flooding if the trees fall into the stream. Mr. Turcato stated that these trees are on private property. Question was raised whether the Borough has a tree commission. Mr. Bailey is to report to Mr. Oliveros as to where responsibility lies.
- 4th St a bus stop on Cambria Ave – Young drivers traveling a bit too fast. Chief Skiles is monitoring the situation.
- Lights in front of Rizzo's replacement and the another is going on and off randomly. Mr. Oliveros to have all the lights checked.
- No left turn from Sheetz. Indicated that the signs are properly installed per the state. Chief Skiles conferred with the Judge regarding the laws.
- Sign for crosswalks near Town Tavern. Mr. Oliveros is working on the signage
- Mr. Furmanchik reiterated that the Gas Station and Vespa Pharmacy has not made any improvement.
- Mr. DeMarco requested that the new Windber High School put on a concert in the Gazebo in Miner's Square sometime in the future.
- **Moved and seconded (Furmanchik/Spinosa) for a concert put on by the Windber High School. (Motion Carried)**
- **Moved and seconded (Pekala/Furmanchik) to advertise for Part time Laborer that has mechanical ability. (Motion Carried)**

Recognition of Visitors

- Mr. Kondas looking into who is responsible for the streets he complained about last week.

Next Meeting Date – Regular Meeting October 19, 2010 - 7:00 pm

Adjourn - Turcato, adjourn 8:20 pm

