

Borough of Windber

Borough Council Reorganization Meeting January 4, 2016

The Reorganizational Meeting of Windber Borough Council was called to order by Windber Mayor, Scott Penrod at 7:00 p.m.

Pledge of Allegiance

Mr. Spinos asked for a moment of silence in memory of Councilman, George Ledney who recently passed away.

The following Council Members were present: Barry Jerley, Sonya Pekala, and James Spinos. Mayor Penrod and Fred Oliveros, Borough Manager were also present. Chad Pritts was in attendance in place of Attorney, Jeffrey Berkey who was absent.

Swearing in Elected Officials

Mayor Penrod swore in newly elected councilmen, John Holden, Pete LaMonaca and Ronald Mash. New council members took their seats.

Nomination of Council President

Mayor Penrod opened the floor for nominations for Council President. Mr. Spinos nominated Mr. Jerley for Council President. Nomination seconded by Mr. Holden. There were no further nominations. Nominations were closed by Mayor Penrod. Roll call vote: Mr. Spinos, yes; Mr. Holden, yes; Mr. Jerley, abstained; Mr. LaMonaca, yes; Mrs. Pekala, yes; and Mr. Mash, yes. Mr. Jerley took his place as Council President.

Nomination of Council Vice Pres.

Council President, Barry Jerley opened the floor for nominations for Council Vice President. Mr. Holden nominated James Spinos for Council Vice President. Nomination seconded by Mr. Jerley. There were no further nominations. Nominations were closed by Mr. Jerley. Roll call vote: Mr. Holden, yes; Mr. Jerley, yes; Mr. LaMonaca, yes; Mrs. Pekala, yes; Mr. Mash, yes; and Mr. Spinos, abstained. Mr. Spinos took his seat as Council, Vice President.

Nomination of Pres. Pro-Temp

Council President, Barry Jerley opened the floor for nominations for President, Pro-Temp. Mr. Spinos nominated John Holden for Council President Pro-Temp. Nomination seconded by Mr. Mash. There were no further nominations. Nominations were closed by Mr. Jerley. Roll call vote: Mr. Spinos, yes; Mr. Mash, yes; Mr. Jerley, yes; Mr. Holden, abstained; Mr. LaMonaca, yes; and Mrs. Pekala, yes. Mr. Holden is the Council, President Pro-Temp.

Approval Resolution Vacant seat

Mr. Jerley said the motion would be to approve Resolution 2016-1 appointment to fill council vacancy due to the death of Mr. Ledney. Mr. Oliveros said he advertised for letters of interest to fill Mr. Ledney's seat and received one letter of interest from Mr. Jason Hunter.

A motion was made by Mr. Spinos and seconded by Mr. Holden to approve Resolution 2016-1 to appoint by resolution a registered elector of the borough to fill the vacancy on borough council left by the recent passing of Councilman, George Ledney. Roll call vote: Mr. Spinos, yes; Mr. Holden, yes; Mr. Jerley, yes; Mr. LaMonaca, yes; Mrs. Pekala, yes; and Mr. Mash, yes. Motion carried.

Appointment Jason Hunter A motion was made by Mr. Holden and seconded by Mr. LaMonaca to appoint by Resolution No. 2016-1, Jason Hunter to fill the vacancy on borough council left by the recent death of Councilman, George Ledney. Term will be two (2) years from January 1, 2016 to December 31, 2017. Roll call vote: Mr. Holden, yes; Mr. LaMonaca, yes; Mr. Jerley, yes; Mr. Mash, yes; Mrs. Pekala, yes; and Mr. Spinos, yes. Motion carried.

Swearing in Mr. Hunter Mayor Penrod swore in newly elected councilman, Jason Hunter. Mr. Hunter took his seat.

Appointment of Borough Treasurer A motion was made by Mr. Spinos and seconded by Mr. Holden to appoint Fred Oliveros as the Borough Treasurer. All in favor. Motion carried.

Appointment of Borough Secretary A motion was made by Mr. Holden and seconded by Mr. Spinos to appoint Fred Oliveros as the Borough Secretary. All in favor. Motion carried.

Appointment of Borough Solicitor A motion was made by Mr. Holden and seconded by Mr. Spinos to appoint the Law firm of Fike, Cascio and Boose as the Law Firm for Windber Borough. All in favor. Motion carried.

Appointment of Zoning/ Planning Solicitor A motion was made by Mr. Spinos and seconded by Mr. Mash to appoint Attorney, Tiffany Stanley as the Attorney for the Windber Borough Zoning and Hearing Board and the Windber Borough Planning Commission. All in favor. Motion carried.

Re-Appointment Allen Ott A motion was made by Mr. Spinos and seconded by Mr. Holden to reappoint Allen Ott to the Windber Zoning Hearing Board three (3) year term beginning January 1, 2016 to December 31, 2018 All in favor. Motion carried.

Re-Appointment Jeffrey Haman A motion was made by Mr. Spinos and seconded by Mr. Mash to reappoint Jeffrey Haman to the Windber Borough Planning Commission four (4) year term beginning January 1, 2016 to December 31, 2019. All in favor. Motion carried.

Re-Appointment Brian Phillips A motion was made by Mr. Mash and seconded by Mr. Spinos to reappoint Brian Phillips to the Windber Borough Uniform Construction Code Appeals Board three (3) year term beginning January 1, 2016 to December 31, 2018. All in favor. Motion carried.

Re-Appointment Mike Winas A motion was made by Mr. Spinos and seconded by Mr. Mash to reappoint Mike Winas to Windber Borough's International Property Maintenance Code Appeals Board two (2) year term beginning January 1, 2016 to December 31, 2017. All in favor. Motion carried.

Re-Appointment Rich Wargo A motion was made by Mr. Spinos and seconded by Mr. Holden to reappoint Richard Wargo to Windber Borough's International Property Maintenance Code Appeals Board three (3) year term Beginning January 1, 2016 to December 31, 2018. All in favor. Motion carried.

Appointment Auditor A motion was made by Mr. Holden and seconded by Mr. Spinos to appoint Kotzan CPA & Associates as the auditor for Windber Borough. All in favor. Motion carried.

- Approval of Banking Institutions** A motion was made by Mrs. Pekala and seconded by Mr. Holden to approve First Commonwealth Bank, First National Bank, Ameriserv Bank and Slovenian Savings & Loan Bank as the banking institutions for the borough. Question: Mr. Spinosa asked if these were all of the banks we are going to contact for the best rates. Mr. Oliveros said yes. All in favor. Motion carried.
- Approval of Payment of bills** A motion was made by Mr. Spinosa and seconded by Mr. Mash to approve payment of the remaining bills for 2015. Question; Mr. Spinosa asked how we ended up at the end of the year. Mr. Oliveros said he did not see the December report yet. Mrs. Gates said we are waiting for the bank statements to come in. Mr. Oliveros said he believes we will be very close. He said we took a hit on the new truck because we used CD's to pay for it and we could not count them as revenue. All in favor. Motion carried.
- Approval Minutes** A motion was made by Mr. Spinosa and seconded by Mr. Holden to approve the Minutes from the December 8, 2015 meeting. All in favor. Motion carried.
- Advertise Ordinance** Mr. Spinosa said he would like to make a motion to amend Ordinance No. 2008-2, amending Section 102 of Ordinance 079-2 appointment of borough manager. He would like to amend the paragraph that states the manager must live within a five (5) mile radius to the manager must live within the Windber Area School District. He said he feels the manager should live in the school district and be close enough to the borough to know what is happening. Remarks; Mrs. Pekala said we should put in the provision that they have a time limit in which to move into the Windber Area School District once hired. Mr. Oliveros said that was in the original ordinance. Mrs. Gates said it was 90 days. Mr. Spinosa agreed with Mrs. Pekala.
- Mrs. Gates said this motion is to approve to advertise the ordinance. Mr. Pritt said you have to advertise before you can amend the ordinance. Mr. Oliveros said we will make those changes and advertise it as soon as possible.
- Mr. Spinosa made a motion to amend and advertise the whole Ordinance, Number. 2008-2, amending Section 102 of Ordinance 079-2 appointment of borough manager, to state that they must reside in the Windber Area School District within 90 days from the time of appointment and eliminate everything else. Motion was seconded by Mrs. Pekala. All in favor. Motion carried.
- Recognition of visitors** There were no visitors at this time.
- Next Meeting** The next meeting will be held on January 12, 2016 at 7:00 p.m.
- Adjourn** Meeting was adjourned by Council President, Barry Jerley at 7:31 p.m.

Respectfully Submitted By:

Robin S. Gates