**Borough Council Regular Meeting**

**March 28, 2017**

The regular meeting of Windber Borough Council was called to order by Windber Borough Council President, Barry Jerley at 7:00 p.m.

Pledge of Allegiance.

The following Council Members were present: Mike Bryan, John Holden, Barry Jerley, Pete LaMonaca, Ron Mash, Sonya Pekala and James Spinos. James Furmanchik, Borough Manager and Mayor Scott Penrod were present. Attorney Joseph Green was present.

**Approval** A motion was made by Mr. Spinos and seconded by Mr. LaMonaca to approve the Minutes of

**Minutes** February 14, 2017 meeting. Motion carried.

**Recognition** Andy Kondas told council that he has not been to a council meeting in quite some time and

**Visitors** is just here to say hello and catch up with what is going on.

Mr. Spinos asked Mr. Kondas if he belonged to the Lion’s Club and that he had heard they are trying to start it up again. Mr. Kondas said he had belonged and they were down to approximately 4 people. Representatives have come in to Windber and are trying to recruit new members to reinstate a new chapter.

Mr. Jerley said that he had the representative’s names and contact information if Mr. Hurst the reporter from the Tribune Democrat would be interested in contacting them to do a story.

Wanda Kimmel approached council in regards to past discussions pertaining to placing a pedestrian bridge across the levee for access for the senior citizens who live at the Quemahoning Towers to get to BiLo more easily.

Mr. Furmanchik said he had spoken with several public officials concerning the bridge and they are unable to put a bridge there. The Army Corp of Engineers said in order to cross that flood project it would have to be built in such an angle that it would make in inconvenient for a senior citizen to traverse that bridge. The sticking point is if there was ever a flood the bridge could cause the debris to get stuck there.

Mr. Furmanchik said the biggest hurdle there is the Army Corp of Engineers and DEP. Even if the money was there it would still not work. Mrs. Kimmel said she spoke to Carl Metzgar and he said there would be funding if they could get the okay. She asked if they could change the minds of the Army Corp of Engineers or DEP. Mrs. Pekala said no, because the bridge would have to be built in such a way that it would be very steep and curved and would make it impossible for someone in a wheelchair to get up it.

Mr. Furmanchik said we have issues with two other bridges in the borough, the 22nd Street Bridget and the 24th Street Bridge. In the past year he and council have been kicking and scratching to find funding just to repair those two bridges. He said as important as the bridge is to Mrs. Kimmel because of the engineering that would have to take place for one, and two, as far as it goes on the list of priorities as compared to two bridges that carry a sizeable amount of vehicular traffic it’s just not happening.

Mr. Furmanchik said he too has spoken with Carl Metzgar regarding funding for those bridges on 22nd and 24th Street and he is still waiting for that resolve.

Mayor Penrod asked if the sidewalks were in good shape from the Quemahoning Towers to BiLo. Mrs. Kimmel said they put new in; it is just that it is so far around. That is why they asked for a bridge.

Mr. Furmanchik said he paid particular interest this winter to that sidewalk area and had public works keep it cleared and cleaned with a snow blower. Mrs. Kimmel said they just wanted a shorter path. She said she had to try. Mr. Furmanchik said he appreciated her efforts.

**Correspondence**

1. Minutes, from the Windber Municipal Authority’s Meeting of February 7 & 21, 2017.
2. PA Municipal Codes Alliance Reports for January and February.
3. Minutes of the Windber Area Authority’s January 11, & February 8, 2017 Meetings.
4. Thank you card from Jim Furmanchik and family.

**Approval** A motion was made by Mrs. Pekala and seconded by Mr. Holden to approve payroll for

**of Bills** February, 27, March 3 and 17, 2017. Motion carried.

**Approval** A motion was made by Mr. Holden and seconded by Mr. Mash to approve the bills for

**Bills** February 2017. Motion carried.

**PennVest** A motion was made by Mrs. Pekala and seconded by Mr. Mash to approve PennVest

**Request** Payment Request No. 1 in the amount of $1,828.08. Motion carried.

**No. 11**

**Cash Bal.** There were no questions on the Cash Balance or Treasurer’s Report. Mr. Furmanchik told

**Treasurer** council that after the last meeting when they discussed placing $100,000 from the general

**Report** fund into a CD they went out and gathered more quotes from other financial institutions.

Mr. Furmanchik said the day of his meeting with JARI and AmeriServ on February 27th he discussed the CD with AmeriServ President, Jeff Stopko. He gave us the best proposal for a five year $100,000 CD at 2% with no penalties for three withdrawals. Mr. Bryan said that is a fantastic rate.

A motion was made by Mr. Spinos and seconded by Mr. LaMonaca to accept the proposal from AmeriServ for a five year $100,000 CD at 2% with no penalties for three withdrawals. Motion carried.

**Council Liaison Reports**

**Fire dept/** Mr. Bryan said he followed up with the conversation he had at the firemen’s banquet with one

**Bryan** of the members and the ongoing opioid epidemic that is hitting everywhere. After approaching him to reach out and have some sort of program put together with the schools and going in and speaking with Principal Shuster, who agreed it was a good idea, the press both print and television media blew up. Literally within a week, that was what you saw, all the time, was about the opioid epidemic.

Mr. Bryan said his concern was there was so much bombardment of all the things going on with the opioid epidemic and with not having his presentation put together should we even go forward. He called this member of the fire department and he is still very interested and wants to put something together and move forward with a presentation to the 5th, 6th and 7th grade students. That is based upon the grades the school is interested in reaching.

Mr. Bryan said he set aside time next week to meet with and to start to craft how this persons story would be meaningful to that type of an audience, based upon his wanting and feeling that he does have a good story to tell along with what is going on right now in talking to the youth of our community.

Mr. Bryan said this will probably take place sometime in May due to testing going on in the middle school right now. We are moving forward with this.

**WAA/** Mr. Jerley said the Water Authority is going to install a new line from Horn Road up to

**Jerley** Seanor Flats. There are houses up there running off a one inch line. They are going to put in a six inch line. After they did some testing they found out there would not be enough pressure for the hydrants then. They are going to have their crew install a new line off of Horn Road through the field over the hill so those people will have better pressure and some new hydrants.

**Mayor’s** Mayor Penrod said the Economic Development Committee has sold out of the tickets for

**Report** Cash Bash to be held on April 1, 2017.

Mayor Penrod asked if a date had been set for a community yard sale. Mr. Furmanchik said he was thinking we could approve that at the next meeting and get an advertisement ready for the April meeting.

**Yard Sale** Mr. Bryan asked if he was going to time that so if things did not sell, spring clean up, pick up would follow. Mayor Penrod said when they discussed it they had talked about having it the second week of May with a rain date the following weekend followed by spring clean up. Mr. Spinos said that is what we discussed.

Mrs. Gates said we do not have a date for spring clean up but we want to set something up soon because we are receiving a lot of phone calls. Mayor Penrod said then we would want to advertise the community yard sale followed by spring clean up.

Mr. Furmanchik said the next Economic Development meeting won’t be until April 20th. He said if you want to move in that direction at that meeting they would have to work in correlation with Windber Borough spring clean up so stuff is not setting around on the street.

**Yard Sale** Mrs. Gates said she would not recommend doing spring clean up any later than the third week of May. Mayor Penrod said they could schedule the yard sale for the 6th. Mr. Furmanchik said that will be tough to do if the Economic Development meeting isn’t until April 20th to organize a community yard sale in one week. He thinks it is a good thing but right now the Economic Development Committees focus has been on the Cash Bash April 1st and he would put the community yard sale off until next year.

Mrs. Gates said when they do look into a community yard sale there is also a community yard sale at the upper end of Graham Avenue and Sugar Maple Drive every spring and you might want to correlate with that. Mr. Bryan said there is also one at the development above the park you could tag on to. Mrs. Pekala said she thinks theirs is in May. Mr. Bryan said he would find out when it is.

Mr. Furmanchik said the driver behind spring clean up is to offer the opportunity to those folks who have an excess of debris and rubbish on their properties to be collected curb side at a moderate cost. He said that is what we have to stick with.

Council further discussed the dates and times of whether a community yard sale would be feasible. Mr. Furmanchik said we have another meeting in less than two weeks so let’s take that time and think about it and make a decision at the April 11th meeting.

**Police** Chief Frear said they now have Narcan. Three of the cars have two. Shortly after they got them, approximately two weeks after they made their first save on 10th Street and after that had another one in Scalp Level Borough. He said we had two saves in a short period of time.

Mayor Penrod asked what happens when they administer a Narcan shot. Do they have to do a report on it? Chief Frear said yes, everyone has to be trained to use it and once you use it a form has to be attached to the Department of Health within 24 hours and he sends a report to Somerset County and Cambria County. Mrs. Pekala asked if the name of the individual who had Narcan is available to the public. Mr. Green said yes.

Mr. Bryan asked how the Narcan is allocated. Chief Frear said Somerset County will be getting it, but they got it from Cambria County. He said it was replenished in about two days. Mr. Green said Cambria County had received a grant for it. Ultimately it is funded by the taxpayers.

**Manager’s Borough building parking lot** - Laurel Asphalt will begin paving in April.

**Report**

**Police Department** - The new office construction is complete. New carpeting in that area is scheduled for next week.

**24th and 22nd Street bridges** - After speaking with PennDot manager Tom Prestash, my findings are as follows:

The bridges are ranked number 50 & 51, in the county, for replacement or repair.

The 24th St. Bridge will be placed on the next TIP update and then would be on the Four Year Bridge Replacement Program, with a rough construction estimate of $1,200,000. There would be a five percent match, which would be $60,000. Again, these are estimates.

PennDot recommends that the 22nd St. Bridge be placed on the Redundant Bridge Program, since there is other access to South 22nd St. Mr. Prestash claimed that the Commonwealth should be able to help keep the bridge operational in the interim, within reason.

The bridges will continue to have their periodic safety inspections.

There will be a site meeting with Mr. Prestash and a PennDot engineer, in April.

**Back taxes for 1321 Midway** -At the last school board meeting, it was approved to wave back taxes for our recently acquired property. We are now awaiting a decision from the County Commissioners, for the County.

**JARI and AmeriServ** - Our meeting on February 27th yielded many opportunities for new businesses in the Borough. AmeriServ President, Jeff Stopko and I negotiated a proposal for a five year $100,000 CD @ 2% with no penalties for three with drawls. This was the best offer from any bank or loan institution.

**NIMS qualifications** - The testing session was a success. Council members are asked to please turn in copies of their certificates so they can be kept on file at the Borough office.

**Codes*/*Property Maintenance Officer-** Tyler Fisher has resumed his part time position with the Borough, as of March 7th. We will continue our war against blight, in the Borough.

**Landscape Project Recreation Park.** Mr. Furmanchik said council has a picture in front of them of the landscape project the Windber Area Municipal Authority would like to do at the park this year. It will be right outside the ballroom. It is being offered to the borough at no cost. The labor and materials are being donated. That project will take place here in the next month.

**Route 56 Construction Project.** Phase II of the Route 56 Project for improvements, updates and especially in regards to storm drains will start April 3rd.

**Ordinance and Resolutions**. Cheryl the Borough Clerk has been pulling our antiquated form of filing ordinances and resolutions and is entering them into the computer. They will be entered in such a way where if you would like to find something about dogs you would just search dogs and it would pull up an ordinance that pertains to that issue would come up. Right now a lot of that is basically open the drawer go through it by hand. Last time we had ordinances updated was around 1987 or 1998. He said putting it in a book would cost about $8,000 to $10,000 so he scrapped that.

**American Legion Parking Lot**. We made a donation to the legion a couple of years ago and what they did with some of the extra donations was to pave the parking lot. That parking lot as we all know is used to travel between 14th Street and Bilo parking lot. Being that is the legions private property and they are concerned with public safety we have a problem with people speeding through there and accidents happen particularly on the Bilo side.

There was a rumor circulating out there that it is being closed to public traffic and that is not true. It is basically being signed by the legion with one way signs and stop signs in the interest of public safety.

**White 2004 F350 Dump Truck.** The truck is out for bid. The bids will have to be in by 4:00 p.m. on the 11th to be opened at the next council meeting.

**Wyndham Hotels**. Mr. Furmanchik has a meeting next month with a fellow from Parsippany New Jersey. He is the director of Wyndham Hotels new development and construction. After doing some research Mr. Furmanchik said he is going to present it to him in a different manner to see if he has any interest in constructing a hotel within the community.

**Demolitions**. There are three demolitions coming up this summer. One on 22nd Street, one on 13th Street and one on Stockholm Avenue. They are all being done by property owners after being coerced by the borough to alleviate property maintenance issues.

**Josh Miller, Director of the Somerset County Economic Development Council.** He is a Somerset County native. He has a lot of good things to say about Windber. He will be coming back to Windber about two or three more times to see what he can do to get us a moving in the right direction.

**Construction Season**. You will see a construction company called S & J Crosstie Construction who is replacing railroad track and ties throughout the borough. Along with that program will be six railroad crossings including the one on 15th Street and this sidewalk that goes to the back door of the borough building. He asked them to put those two projects on their priority list so they are one and two and he also asked if this sidewalk could be done in such a way that a full size truck could make deliveries easily and snow removal easier.

**Eureka Coal Heritage Foundation Letter**. In 2017, we will celebrate the 17th Annual Miners' Memorial Day Weekend Celebration. As we pass this milestone, it is our intent to make this a memorable one for Windber and her residents.

The following times/dates are being requested for street closings.

ALL closures affect Graham Avenue:

Thursday, June 15, 2017 - 5:00 p.m. - 11 p.m. - 13th -17th Street - Truck Show

Friday, June 16, 2017 - 5:00 p.m. - 11:30 p.m. - 13th-17th Street - Arcadia, Dance

Saturday, June 17, 2017-8:0 0 a. m. - 11:30 p. m. 13th-17th Street - Festival

Reception Parade @ 11 a.m.-12 p.m. from 23rd St -11th Street, Sunday, June 18, 2017:

8:30 a.m. - 6 p.m.-12th - 17th Street Car Show.

We anticipate a fun-filled, exciting weekend of family­ oriented fun. This event provides us with the opportunity to showcase our unique, friendly community.

As always, we stand committed to preserving not only our rich heritage in Coal, but also the equally rich ethnic/religious family heritage that makes Windber such a very special community. We welcome any and all assistance we need to provide in securing the necessary approvals for these street closings. Matthew Scislowicz, President.

A motion was made by Mr. Spinos and seconded by Mrs. Pekala to approve the Miner’s Memorial Day Weekend Event and Street Closings on July 15, 16, 17, and 18, 2017. Motion carried.

**Solicitor’s** There was no report at this time.

**Report**

**2017** Mr. Furmanchik gave Council a list of three options for paving as follows:

**Paving**

OPTION #1 OPTION #2

20th St. (Hillside Ave. to SR 56) 20TH St. (Hillside to SR 56)

15th St. (Graham to RR tracks) 15th St. (Graham to RR Tracks)

15th St. (house # 803 to Grove) 15th St. (House #803 to Grove)

Catherine (Hillside to 190' S) Catherine (Hillside to 190’s)

Stockholm (Thomas Feed Mill to 19th) Stockholm (Thomas Feed Mill to 19th)

21st.St. (Somerset to Cambria) 21st St. (Somerset to Cambria)

Washington (Alley to 7th St.) Washington (Alley to 7th Street)

10th St. (Graham to Somerset) Washington (Alley to 6th Street)

**TOTAL** - $66,521 10th Street (Graham to Somerset)

TOTAL - $71,983

OPTION #3

20th St. (Hillside Ave. to SR 56)

15th St. (Graham to RR tracks)

15th St. (house# 803 to Grove)

Catherine (Hillside to 190' S)

Stockholm (Thomas Feed Mill to 19th)

21st.St. (Somerset to Cambria)

Washington (Alley to 7th St.)

Washington (Alley to 6th St.)

10th St. (Graham to Somerset)

8th St. (RR tracks to Jefferson)

10th St. (alley to house# 405)

Jackson (28th St. to speed limit sign)

**TOTAL** - $87,246

\* 25th St. (Graham to alley) will be paved as part of a CDBG storm sewer replacement project.

Mr. Furmanchik’s recommendation is to go with Option No. 2. He pointed out the area of 15th Street between Graham Avenue and the tracks. He said the road is deteriorated there in such a regard that over the course of the last year he had public works there at the loop sensor several times. The loop sensor is an underground wire device that controls the lights, when you pull up it makes the lights turn so you can get proceed. It is protruding up through the asphalt between Graham and 15th Street. He thought the plow was going to catch it this winter and yank it out.

Mr. Spinos asked how much money we have for paving. Mr. Furmanchik said $68,000. A motion was made by Mr. Spinos and seconded by Mr. LaMonaca to approve Option No. 2 to be advertised for bids for the 2017 street paving. Motion carried.

**Approval** A motion was made by Mr. Spinos and seconded by Mr. Mash to approve a donation to

**Easter Egg** for the annual Easter Egg Hunt on April 8, 2017 at 10 a.m. Motion carried.

**Hunt**

**Resolution** A motion was made by Mr. Spinos and seconded by Mr. Mash to approve Resolution

**2017-1** No. 2017-1 appointing Martha Dranzik as the Primary Voting Delegate for Windber Borough to the Somerset County Tax Collection Committee. Motion carried.

**Resolution** A motion was made by Mr. LaMonaca and seconded by Mr. Spinos to approve Resolution

**2017-2** No. 2017-2 appointing a Chief Administrative Officer for the Police and Non-Uniform Pension Plan. Motion carried.

**EAD’s** Mr. Furmanchik said the CFA Grant applications will be awarded this week and hopefully the

**Engineer** project will be put together for the West end of town.

**Report**

Mr. Furmanchik said in regards to the flood protection project he had talked about issues with different types of pipe camera film footage issues, with two different sets of pipe camera film footage. When he spoke with EADS today they’re making some headway with the Army Corp. of Engineers being agreeable to Roto Rooter’s camera footage. That would be a plus in our favor.

Mr. Furmanchik said the engineer shows actual estimates for four different levels of repair to the 24th Street Bridge. Mr. Spinos made a motion to accept the engineers report and Mr. LaMonaca seconded it. Motion carried.

**Friday Nite** Mr. Spinos asked council for their approval to sponsor this year’s Friday Night Cruise-in’s.

**Cruise-in’s** The dates will be May 26, June 9, June 30, July 7, July 14, July 28, and August 11, 2017. At the same time further down the road Mike Hunter is having a Rod Run on May 28, 2017 so they will have a cruise-in right before that and will advertise for it. A motion was made by Mr. Holden and seconded by Mr. Jerley to approve the Friday Night Cruise-in dates indicated by Mr. Spinos. Motion carried.

Mr. Furmanchik said tomorrow Clyde Block will be painting the council chambers and pictures will be taken down. Heather Grillo has made pictures for us and we will be hanging them in council chambers. Pictures display the heritage of Windber.

**Next** The next meeting will be held on April 11, 2017.

**Meeting**

**Adjourn** Meeting was adjourned by Council President, Barry Jerley at 8:00 p.m.

Respectfully Submitted By:

Robin S. Gates