

Borough Council Regular Meeting May 8, 2018

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

Pledge of Allegiance.

The following Council Members were present: Mike Bryan, John Holden, Pete LaMonaca, Douglas Ledney, and James Spinos. Jim Furmanchik, Borough Manager and Mayor, Scott Penrod was present. Ron Mash and Joe Pallo were absent. Attorney, Joseph Green was absent.

Approval Minutes A motion was made by Mr. Spinos and seconded by Mr. Mash to approve the Minutes of April 10, 2018 meeting. Mr. Mash and Mr. Pallo were absent. Motion carried.

Recognition of Visitors Casey Costlow a student from Windber Area High School was in attendance as an assignment from her teacher to earn extra credit. Mr. Bryan welcomed her to the meeting.

Correspondence

1. Minutes of the Windber Municipal Authority's March 20 & April 17, 2018 Meetings.
2. Codes Enforcement Officer's Report.
3. Windber Area Authority's Minutes of March 14, 2018.
4. Somerset County Borough's Association Dinner Meeting May 17, 2018

Mr. Furmanchik said he received a letter from Barry Jerley. Barry Jerley purchased the former Coal Miner's Museum. The plan is for Bella's Restaurant to relocate into the first floor. The letter reads as follows:

Dear members of council,

As you are aware, I have purchased the former Coal Heritage Museum Building. I have been working with the PMCA and the Borough Manager to adhere to all regulations.

I am hoping to have my first floor tenant, who will operate a restaurant, operating by June 14th for Coal Miners' Memorial Weekend. I believe this will be a nice addition for the event and give the restaurant some great exposure. To help fulfill needs for off street parking, I plan to have a concrete parking area constructed behind the building and will pay close attention to storm water issues. I would like to proceed with my plan and my intent is to have the parking area completed by August 31, 2018.

I am looking forward to your full support as we work to make our community more attractive.
Signed Barry Jerley.

Mr. Furmanchik said at the time the building was originally being viewed for possible purchase we talked about some issues that needed to be addressed.

Today he was called over there due to some issues they were having with the installation of the natural gas line. He found out due to some money issues, this year, he was told the lot would be gravel. That provides for a good fix for storm water management. All the rain water and melted snow will filter through the gravel and into the drain.

Dave from public works was over there today and looked at two drains and once the actual concrete is in place the storm water management will be quite effective in controlling the water or direct the water into those two drain areas. We don't want to cause the Hollern group any issues.

**Parking
Issues**

Mr. Furmanchik said Zoning Ordinance Item: 1108, states that parking places for commercial, industrial, institution, or uses shall be located no more than 700 feet from the principle structure. Mr. Furmanchik measured it from the community building parking lot to the curb in front of the former Eureka Coal Heritage Museum and it is 204 feet. There are 45 stripped parking spaces in the community building parking lot. There is probably an additional 10 or 15 spaces depending on how people park. Some park adjacent to the sidewalk and along the back of the parking lot.

Mr. Furmanchik said Item: 1112, addresses Joint Use Parking. It states two or more nonresidential uses may join and share use of parking spaces when their hours of operation do not normally overlap. He thinks you will avoid an overlap because the restaurant that will be operating out of the building will probably not be working past 9:00 in the evening. The Hotel gets more crowded after 9 p.m. Mayor Penrod said no. Mr. Furmanchik said it is just his opinion. Mr. Furmanchik said he believes there is ample amount of parking here.

Mr. Furmanchik said Item: 1116, speaks to Recreational and Entertainment Uses, one parking space for each 200 feet of floor space. He said there is 2,400 square feet divided by 200 feet gives you twelve. The parking area to be constructed in the back of the building as he is being told will have 15 to 17 parking spots. The property is still compliant even if the community building parking lot wasn't there.

Mr. Furmanchik said his opinion as a zoning officer is parking will not be an issue there. Mr. Spinosa asked what the time frame is on having the building torn down on Midway. He asked if the borough would own the property. Mr. Furmanchik said the bigger building no. The property owners of the smaller building want it turned over to the borough. Mr. Spinosa said the property from the bigger building could be used as a parking lot.

Mr. Furmanchik said the money we got from CDBG funding \$40,001.00 is for home rehabilitation. \$28,237 is for building demolition and \$14,978 is for administration. There is no way to move that money around that is the way it is dedicated. Only 30% can go for building demolition. Everything is handled strictly through Somerset County Redevelopment Authority. Mr. Furmanchik said the two that have to go in his mind are 1407 Midway and 1809 Graham Avenue.

He said the only thing he might add is we have a bakery moving into the old Shaffer Drug Store building.

Mr. Spinos said we constantly talk about parking and we brought it up years ago about using the sidewalk for parking. Mr. Furmanchik said Mr. Jerley is adding a drive up window. He would need a right-away agreement with the Railroad to cross the tracks and because of the narrow width of Midway that curb would have to be cut wider. Right now from his conversations with Mr. Jerley he is awaiting word from the Railroad Company.

Mr. Furmanchik said the sidewalk gets more use in the day time then council realizes. North Folk Southern would be considering that as well. If it comes to fruition with North Folk Southern Mr. Jerley would come here for a curb cut.

Mr. Holden questioned, didn't the School District have to get a variance for the parking lot at the stadium? Didn't the Zoning Hearing Board have them get a variance that required them to pave it? Mr. Furmanchik said that was for new construction. Mr. Holden said is it not new construction what Mr. Jerley is doing, by tearing up the grass and putting a parking lot in. Mr. Furmanchik said that is an existing structure. Mr. Holden said so was the stadium when they built it. Mr. Furmanchik said it is not the same thing.

Mr. Furmanchik said when Rose Bud was there they were not compliant or the actual museum when they were there. Mr. Furmanchik said he had a conversation with Keith Vasas and everything is above board.

Mr. Holden said he is not in support of a gravel parking lot down town. Mr. Furmanchik said it is only temporary until next year. It is private property. Mr. Furmanchik passed out a drawing of the parking area for Mr. Jerley's property.

Mr. Furmanchik said there is going to be a new home built in Windber. It will be on Grove Avenue.

Mr. Bryan asked if anyone was interested in attending the Somerset County Borough's Association Dinner Meeting. No one expressed interest at this time.

Approval of Payroll

A motion was made by Mr. Spinos and seconded by Mr. LaMonaca to approve payroll for April 13, and 27, 2018. Two absent, Mr. Mash and Mr. Pallo, motion carried.

Approval of Bills

A motion was made by Mr. Spinos and seconded by Mr. LaMonaca to approve bills for the month of April 2018. Two absent, Mr. Mash and Mr. Pallo, motion carried.

Approval Paving bid

Name	Bid
Ligonier Construction	\$109,465.00
Quaker Sales & Service	\$ 76,738.80

A motion was made by Mr. Spinos and seconded b Mr. Holden to approve the bid from Quaker Sales in the amount of \$76.738.80. Roll call vote: Mr. Spinos, yes; Mr. Holden, yes; Mr. Bryan, yes; Mr. LaMonaca, yes; Mr. Ledney, yes; Mr. Mash, absent; and Mr. Pallo, absent. Motion carried.

Approval Contractor Mr. Furmanchik said council members have handouts of the bids for the roof for the restroom at the park. Mr. Spinos said we need to review them and compare them. The bids are under \$10,900. Mr. Furmanchik said he was the one who talked to Greg Guy and got the figures from him for the roof. He said he didn't want to do anything where he was piece milling on that side where you can see the plexi glass windows and some of these estimates, you do have are actually just replacing a few rows of shingles. Mr. Furmanchik said he had also asked Mr. Guy to give him a price on doing the entire roof.

Mr. Spinos said the other bids were just piecing it together with plexi glass and Guy Roofing was replacing it with regular glass. His concern is if we patch it together for \$1,600 in another year we will end up doing the whole roof anyway. Mr. LaMonaca agreed.

Mr. Furmanchik said Mr. Spinos has a good point, even if you only do half of it you might be working on the other side down the road. Mr. Spinos said we agreed that if we are going to do something now we are going to do it right. Mr. Holden asked if we are now talking about doing both sides of the roof. Mr. Furmanchik said yes but you don't have to do it that way, it is up to council. Mr. LaMonaca said we need to do it right.

Mr. Furmanchik said if it was his opinion he would let Guy do it and do the whole roof. Mr. Ledney asked if these other companies were advised to give us two bids, one for the whole roof and one for half the roof? Mr. Furmanchik said he did not know because Mr. Grohal got the others and he only obtained the one from Guy Roofing. Mayor Penrod said if it is under \$10,900 we do not even need to get bids. Mr. Ledney said he understood that but if we're looking at one company that gave two quotes and three that did only one because that was what they were told that is not fair. He said he agrees that the whole roof should be done.

Mr. Holden asked what the difference was between plexi glass and fixed glass. Mr. Furmanchik said just the appearance and safety. Mr. Holden said lots of stuff happens at the park and he is concerned that a kid might throw a ball or something and break it if it is regular glass. He said he would prefer plexi glass to glass. Mr. Furmanchik said we have other glass windows at the park. Mr. Spinos asked council if they want to go with plexi glass or glass.

Mr. Furmanchik said he thought everyone was going to turn in two different bids and he sort of got a hodgepodge of stuff. Council agreed to go back to the contractors and get a quote from the other three contractors for the whole roof with plexi glass and ask Mr. Guy to give us a new quote using plexi glass.

Mr. Furmanchik asked if council would authorize him that once Matt gets all the proposals that we go with the cheapest proposal apples to apples. Mr. Spinos said when you contact Mr. Grohal tell him the bids have to be in by Friday and if they are not in by Friday then you're out because we have to get moving on this. Council was in agreement.

Approval Contractor (Cement Pad) A motion was made by Mr. Spinos and seconded by Mr. LaMonaca to approve Moyer Concrete's quote of \$1,600 to pour the concrete pad in front of the Borough Building. Monies to be taken from the Capital Improvement Fund. The public works crew will hammer the old concrete out. Roll call vote: Mr. Spinos, yes; Mr. LaMonaca, yes; Mr. Bryan, yes; Mr. Holden, yes; Mr. Ledney, yes; Mr. Mash, absent, and Mr. Pallo, absent. Motion carried.

Cash Bal./ There were no questions at this time.

**Treasurer
Report**

Council Liaison Reports

**Holden/
WMA** Mr. Holden said that the Fire Company and the Windber Municipal Authority will host the Wine in the Park event Saturday, May 19, 2018 at the Windber Recreation Park. There will also be bourbon tasting and cigars.

**Mayor's
Report** Mayor Penrod said Mimo's have added a garage door and outdoor dining area to their restaurant. He said he is proud to see them add the addition to their restaurant. Council decided to have a plaque made for Mimo's to thank them for updating their business facade.

A motion was made by Mr. Holden and seconded by Mr. Spinosa to purchase a plaque for Mimo's and present it at the next council meeting. Mr. Mash and Mr. Pallo were absent. Motion was carried.

**Manager's
Report** **Park and Street Paving** - Bids for street paving will be opened at the meeting. We anticipate Recreation Park paving to begin shortly.

Mr. Furmanchik said Quaker Sales will be on site Friday. When we do our street paving, we have to have a representative from PennDot who is an expert in the paving business come in, and he has a vehicle with a measuring device on it and it measures the width and the length and he makes notes about whether you need milling, scratch coat on them, or a leveling coat so on or so forth.

His figures are where Mr. Furmanchik compiles his options. He had asked him as a favor to do the same thing at the park and he did. He spent his own time up there which we appreciated and compiled the figures.

Mr. Furmanchik was with one of the owners of Quaker Sales last week and two of their foreman raised concerns about dips in the road. We had one problem where there was a pipe and we thought there was going to be a problem. They had a transit and we shot it and were good. In the road in front of the ballroom if you stand there and look down the road you can see dips from the vehicular traffic. With any parking you stand there and look at it, it looks good, and then as soon as it rains you see puddles in it. It is really not visible to the human eye but the rain finds a way. At some point in time all asphalt cracks. At that point if you have water laying in there it will seep down through the asphalt surface and the freeze and the thaw cycle takes place and you have damage to the asphalt.

Mr. Furmanchik asked them what we do to resolve the situation. They said there is only 1,300 feet of leveling course on there. They recommend that the entire park road be leveled. That would be an additional \$10,500.

Mr. Furmanchik walked the whole park road by himself and made notes. He knows a little bit about the paving business. If you would go the whole way back recreation road, past the pool, and make that right, almost half way around the back in his estimation, all that is needed is top put on.

He called up one of the owners of Quaker Sales and they talked this afternoon and he looked at it and he agreed with him. He is telling him now it would be no more than \$5,000 to level everything that would actually need to be leveled. We have a window of \$10,900 so we do not have to put it out for bid.

A motion was made by Mr. Spinos and seconded by Mr. Holden to approve doing the additional leveling course at a cost of \$5,000 to be paid from the Recreation Account. Roll call vote; Mr. Spinos, yes; Mr. Holden, yes; Mr. Bryan, yes; Mr. LaMonaca, yes; Mr. Ledney, yes; Mr. Mash, absent; and Mr. Pallo, absent. Motion carried.

Berwind – Mr. Roman told Mr. Furmanchik that they are getting caught up in the improvements in the down town area and are going to have a special artist put a mural on their building that depicts our coal heritage. The high school students are going to submit ideas to them.

CDBG Funding - We have received our allotment for 2017. I have been in discussion with the Somerset County Redevelopment Authority regarding disbursement of these funds. The funding breakdown is as follows.

\$40,001 - Home rehabilitation
\$28,237 - Building Demolition
\$14,978 - Administrative Costs

Alleghenies Ahead - This is the latest comprehensive plan that has been assembled and recently released by the Somerset County Planning Commission. Mike Bryan and I have had conversation with those involved with the Commission and all hold Windber in high esteem and consider our community to be a major player in this plan.

Police Department Lease Agreement - The current agreement, which has a length of five years, expires at the end of 2018. Paul Beahr and I had a preliminary meeting last week. Mr. Beahr's position is that he would like to see the lease stay in its current state, with the monthly amount increasing by no more than \$60. The reasoning behind the increase is due to a tax reassessment. A new roof is promised to be installed this summer. If you have any questions or concerns on the lease agreement, please let me know in the very near future so those issues can be addressed.

Wall of Fame - We have previously discussed the possibility of the resurgence of the Wall of Fame Committee. Matt Scislowicz, President of the Eureka Coal Heritage Foundation, has suggested that Council and his organization work together in that effect. He has asked that two members of Council form a committee with two members of the ECHF to move this movement forward.

Mr. Furmanchik said he was finally able to talk to Art Lambert who is still the president. He said that Carl Mayer, Tony Badowski, Jen Snyder and he are still on the committee. He said in 2018 they will be talking about appointments to the Wall of Fame. He was in favor of appointing one or two people from council and the Coal Heritage Foundation. Ron Mash would like to be on that committee and Mr. Holden said he would also like to be part of that committee.

Gazebo Speakers - The new audio equipment has arrived. Jim Spinelli has organized a few volunteers to assist in the installation. Jim has tried out the new speakers and claims that they are tremendous and will more than suit our needs. Public Works will remove the old speakers and Jim and his volunteer group promise installation by the middle of June. As Wave subsidized the current sound system, I have contacted them and asked that they inquire about a need for the current speakers.

Seese Run Clean Up - Eric Stoltz Inc., along with our entire Public Works Department has completed the project between 21st and beyond 24th St.

Borough Building Stairway Repair - I will have three estimates, for replacing the concrete pad, by our upcoming meeting date. We will utilize Public Works for the demolition end of the project, to defray costs.

Hotel Marketing and Feasibility Study – HMI Inc. will be in town on May 9th and 10th to conduct research, for this undertaking I will be working with them late into the evening on the 9th. I have arranged interviews to be held on the morning of the 10th at Windber Place, which is located on the campus of the Windber Medical Center. The session will begin at 8:15 a.m. with Joe Kimmel, Tom Kurtz, and Steve Slatcoff. At 9:15 a.m. there will be a group interview discussion with local business people, civic leaders and other influential community members. I have compiled a list of attendees. Please take this as a formal invitation to attend, if your schedule allows.

Public Works Garage – I have come to the realization that we have a huge unprotected investment on that site which is in a remote area. I would like to have some discussion on the possibility of security cameras. Council agreed to pursue quotes for cameras.

Grant Opportunities - ongoing

769 Railroad Street - The hearing with the Zoning Appeals Board took place on April 12th, lasting 2 hours. We are awaiting the outcome of a meeting with the board and the attorney who had represented them in the hearing and findings of fact by the board's attorney. I will keep you posted as this comes to a closing.

Park Comfort Station Roof Repairs - I requested a proposal from Guy Roofing and Matt Grohal obtained the others. They differ in some respects and in some cases may not be the best approach for the future. Please examine the proposals, included in your information packet, and we can discuss the best alternative at the meeting.

21st Street Jake Brake – Citizens have complained about Jake Brakes on 21st Street. Before we can enforce our ordinance PennDot has to come out and perform a survey. Mr. Furmanchik received a letter from PennDot that it passed the survey from Graham Alley to the north end of the bridge over Seese Run by Stocks. If we want to enforce that then you have to have proper signage. You have to put up four signs. We will have to buy signs and poles. Also from time to time that street will have to now be monitored.

Chief Frear said he has not heard Jake Brakes go on in that area. On the highway he has heard them. He said he will monitor it. The residents said they do not care if they do it all day long just not at 5:30 in the morning.

Mr. Furmanchik said Mr. Long from the mine said they have weekly meetings and they are told to travel at 25 mph and no Jake Brakes. They are good for a while then they start up again. Mr. Spinos said he feels bad for the residents that live on 21st Street. Some of them work night shift and they put up with the noise and dust. He said the truck drivers get paid by the load and are probably using their Jakes to save money on their brakes and brake drums and his opinion is he thinks we should do it.

Mr. Furmanchik said he can't believe anyone should have to use a Jake Brake on that street. Mr. Spinos said we will get our money back from writing citations. He said it is a labored process just to file application for the survey. Mr. Furmanchik said his guess is if a few get written up they will stop. Mr. Spinos said we represent the citizens of this town and we need to appease them. If we lived on that street we would feel the same too.

A motion was made by Mr. Holden and seconded by Mr. Spinos to proceed with the signage, monitoring and enforcement of trucks using Jake Brakes on 21st Street. Two absent, Mr. Mash and Mr. Pallo. Motion carried.

Railroad Street Grate – There is a grate that goes across Railroad Street Right where Railroad Street turns off 17th Street is getting to the point that it is loud when a truck goes over it. Some temporary repairs were made last year. Mr. Furmanchik has a few phone calls into Cliff Forrest the President of Rosebud. They will probably have to close the road down to fix it and they probably don't want to do that. If that thing collapses there will be no trucks going through there at all.

**Approval
Miners
Weekend**

A motion was made by Mr. Spinos and seconded by Mr. LaMonaca to approve Miners Memorial Celebration Street Closing for June 14th through June 17th, 2018. Two absent, Mr. Mash and Mr. Pallo. Motion carried.

**Next
Meeting**

The next council meeting will be June 12, 2018 at 7:00 p.m.

Adjourn

Council President; Mike Bryan adjourned the meeting at 8:30 p.m.

Respectfully Submitted By:

Robin S. Gates
Financial Secretary