

BOROUGH OF WINDBER
Borough Council Meeting
Monday, March 10, 2025
7:00 p.m.

The Regular Meeting of Windber Borough Council was called to order by Windber Borough Council President, Richard Rummel, at 7:00 p.m.

Pledge of Allegiance

The following council members were present: Brian Bahorik, Greg Klonicke, Pete LaMonaca, Dr. Doug Ledney, Herb Moore, Joe Pallo, and Rich Rummel. Attorney Joseph Green, Manager Ron Allison, and Mayor, Michael Thomas, were present.

Approval Minutes A motion was made by Mr. Bahorik and seconded by Mr. LaMonaca to approve the Minutes of February 10, 2025, meeting. Motion carried.

Recognition Of Visitors David Maddy Jr. spoke to the council regarding the alley where he lives at 606 20th Street. Mr. Maddy said he is going to have a pipe put in on Monday to take care of the water issue. He said the alley is so soft he cannot even get through it in his wheelchair. He said putting millings in it is not the answer. Jean and Jerry Hudak have been living there for 40 years, and nothing has ever been done with it.

David Maddy Richard Rummel asked Mr. Maddy if the pipe he was putting in was on his property. Mr. Maddy said yes, he was told if he got his neighbor to sign the paper he could go across and collect the water. He signed it and said it was alright. He got the pipe and the gravel today. We will try to get it down through that gravel. The last piece will be corrugated so it goes into the culvert. It has been nothing but ice there all winter. When the med-van pulls out it slides because of the ice there. There is no drainage from above.

Manager Allison asked if Mr. Maddy was putting this on borough property or yours. Mr. Maddy said it is on his. Manager Allison asked Mr. Maddy if he was crossing other people's property without a legal easement. Mr. Maddy said John gave him permission to put the pipe in to take care of the water and he gave him permission on the other side where there is a culvert out front; he told him he can dig that pipe and put it lower and put a culvert in there. He is going to then run a pipe from A to B. Manager Allison asked where A to B is? Mr. Maddy said the first culvert on John's property to the other culvert. He is going to put a French drain in too, to take care of the water.

Mr. Maddy said if you walk up to that mine and see the water, it is like a waterfall right now. Manager Allison said he is not arguing there is a problem there, but the borough cannot cross someone's property without a legal easement. Mr. Maddy said he was told if John signed off it would be okay. Manager Allison said the borough could not touch it without an easement.

Mr. Maddy said he is going to try and take care of the water issue, but the black top is horrible there and needs to be taken care of. Mr. Rummel asked Mr. Maddy to make sure it was on his property.

**Jean
Hudak**

Mrs. Hudak said she is Mr. Maddy's neighbor, and they share the same alley. The water down there is bad, and it is warming up and turns to mud. There is no black top on there, it is like dirt. It is also icy in the wintertime. They have lived there for 40 years and she does not remember anyone coming there to help repair the alley and it wasn't done in increments so now it is becoming a bigger project.

**Jerry
Hudak**

Mr. Hudak said the alley is very bad and, in the wintertime, he gets stuck there several times.

Mr. Rummel asked when they come in to take out the tracks are they coming in from Somerset Avenue. Mr. Maddy said he was told they are doing it soon and he is unsure which way they are coming in. Mr. Rummel said that is why he is asking because if Mr. Maddy is putting in a French drain and they are bringing in heavy equipment to take out the tracks. Mr. Maddy said it would be okay it is just a backhoe taking them out.

**Ed
Marcinko**

Mr. Marcinko asked if there was an update on 709 because the gentlemen have moved both vehicles off the property. He said he could not locate where they moved the Honda to. He said he cannot find it in the borough because he tried to look for it. The blue Honda Pilot has been relocated behind the rear alley of 550 Railroad Street. Mr. Marcinko said he doesn't know if something was said to them, but they are gone.

Mr. Marcinko said this morning the fire department with their big red fire truck went all the way up Railroad Street with two crew members and one driver and he doesn't know if there was a trainer in the right seat or not. There are at least eight or ten placards that say engine brakes are prohibited. Whomever was coming up was not doing the speed limit and the engine braked the whole way up and around the S-turn. Coming back down Railroad Street was even worse. A UPS truck was parked in front of 713 Railroad Street. They had to hit the brakes and pop the engine brake to stop the fire truck about five feet from the rear of the UPS truck. Whatever was inside of the truck whether it was a tanker or whatever, the road was soaking wet with water sloshing around. The fire truck then continued down Railroad Street with the engine brake popping the rest of the way.

Manager Allison said they would pass that on to their management team.

Mr. Marcinko said he does not know where the vehicle was moved that was at 709. Manager Allison said the day after your complaint came in, it was active the whole way up to February 25, 2025 when the codes officer spoke to the caretaker, they were making arrangements to get them out of there. Mr. Marcinko said they could return because he looked with binoculars at the Honda Pilot and it is still sitting with the old expired sticker still on it.

Mr. Marcinko said he received a letter in the mail today from the fire company. He said Scalp is trying to raise money opposed to Windber who is constantly asking for grants and monies. Manager Allison said Scalp and Windber are the same. It is the Northern Regional Fire Department. Mr. Marcinko said he hopes the work ethic of Scalp carries over because he got his taxes this year and it hurts.

**John
Zellam**

John Zellam Assistant Manager from Conemaugh Township EMS and Terry Ruparcic, The manager is here. Mr. Zellam said they wanted to update the council on how things are going

CTEMS

It has been a little over two months since the consolidation of taking over the Northern EMS area. He passed out some numbers for the council to see how many calls they have been running on a monthly basis.

Mr. Zellam said so far things are going well they are running out of the Scalp Level Fire Department. They have a crew there. Since they took over on November 4th they have been staffed 24/7 and have not had any staffing issues since then.

Mr. Zellam said a little bit about their company; they run three crews, they are housing two crews at the Conemaugh Township station and one up here. Whenever this crew goes out for an extended period of time another one comes here to keep an ambulance in the community.

Mr. Zellam said they staff two ALS ambulances with paramedics 24/7 and sometimes the third one is ALS, it just depends on the day. Memberships are also out and we saw that it was on Windber Borough's website, and we appreciate that.

Mr. Zellam said he knows it will be a little bit of a learning curve for these communities up here to recognize Conemaugh Township EMS as their primary ambulance so we just ask for some education as you are talking to family or friends just to remind them about the Conemaugh Township ambulance membership. If they accidentally threw it away, they can call our office and we can get them set up because a lot of people really depend on that.

Mr. Zellam said if anyone ever has any questions to please contact them and they will do their best to get here to a couple of meetings to give the council updates. Mr. Rummel told them to make sure they go to Paint Township and the other townships also.

Manager Allison asked if they survive totally without tax money or would you be able to. Mr. Zellam said they do not get any tax money from anyone other than Jenner Township, which gives them \$3,000 but Windber is the most significant municipality to give us a donation. He said they can not even explain how thankful they are for that. EMS is struggling in this area and throughout the entire commonwealth and nation. There have been tons of meetings and legislative meetings where EMS has told them we are in crisis. Unfortunately, we just saw Portage who sustained a financial hit and were no longer able to sustain themselves close. Now Forest Hills and Cresson are trying to sustain that community. It is tough.

Mr. Zellam said Windber's support is greatly appreciated. Manager Allison said he believes the other municipalities serviced need to come up to the level of what we do and then look at all the numbers moving forward. We have already paid \$22,000 to EMS and \$66,000 toward the fire department and he knows the other municipalities are not up to that yet and before we give more they need to pony up and we need to see the books.

Brian & Rebecca Cominsky

Mr. Cominsky said he was unsure if this was the right place to go but they are really looking for some guidance. They are having problems with their neighbors. Every summer it ramps up and it is getting ready to ramp up. It gets worse and worse every year.

Mr. Cominsky said the police were just at their house and they want to know who to go to above the police to get some accountability.

There was a fellow that the police let go and a month later he was extradited for warrants. Mr. Cominsky called the police about a fellow trespassing and stealing and they let him go. No citations, nothing. He has been in and out of jail since 2010 for burglary and trespassing. He said they have video cameras everywhere and can prove everything they say.

Mr. Cominsky said he is afraid to go to work in fear of retaliation at some point. They are looking for some help. Mr. Moore asked how long this had been going on. Mr. Cominsky said two years. Mr. Moore asked how many times the police were called. Mr. Cominsky said several.

Mr. Cominsky said he called the police because the kid that was extradited to Alabama came flying down the street pulled the e-brake, 360's in the intersection, and intoxicated at 20 years old. They let him go. Mr. Moore said he believed him.

Mr. Moore said we should have better police service. Mr. Pallo said he supports the police. Mr. Rummel asked if it was the police or the magistrate. Mr. Cominsky said the police. Manager Allison said one thing he did catch and he knows nothing about his situation at all, but he will do his best to find out but the one thing you said was about extradition. Mr. Cominsky said he was extradited from here to Alabama. Manager Allison asked how we let him go. Mr. Cominsky said the police officer on that night did not arrest him for anything he did. The kid threatened him, and he told the officer he wanted to press charges, but nothing was done. Mrs. Cominsky said they came to find out that a police report was never written once. She said they are always told they will be cited, and nothing happen and after the police officer leaves it just gets worse.

Mrs. Cominsky said her daughter has all kinds of health problems. Her daughter no longer wants to go out in her yard because she is scared. Mr. Rummel asked for the address. Mr. Cominsky gave him the address.

Mr. Cominsky said they were just at his house last week to do a wellness check on this guy and they called the police on him for trespassing. Mrs. Cominsky said it is not the first time they have been there searching for people and when they do, they are crossing their yard shining the lights in their house and that makes my daughter even more scared.

Mr. Moore said we need to do something before someone gets killed. He is sick and tired of hearing this. Mr. Cominsky said regardless we are looking for help. Mrs. Cominsky said she is scared for her daughter and her son. The guy next door comes out of his house and stares at their house swinging a switch blade. They said they have a video asking the police for help. Mrs. Cominsky said she wishes they could move but they can't do that.

Manager Allison told Mr. Cominsky that his first meeting should be with the Police Chief. Chief Frear told them to meet with him tomorrow morning. Mr. Cominsky said they would bring the video with them. He asked what the next step would be if that did not work. Chief Frear said that would be the mayor, but he said bring down what you have and let's talk because he cannot do anything based on what is being said right now until we all sit down and he reviews the reports. Mr. and Mrs. Cominsky are going to meet with Chief Frear in the morning.

Todd Koehler Mr. Koehler did not speak at this time.

Recognition Visitors There was no correspondence.

Approval Bills Mr. Moore asked if we did our own oil changes and transmission fluid and stuff like that. What about the ones that are trained to do that, that we pay for the extra training. Manager Allison said we can but right now we only have two people that are able to come to work but if you want them to do that, we can do that. Mr. Moore said yes. Mr. Rummel said no we are good with what we do.

Mr. Moore asked why we need cameras for our trucks. Manager Allison said we put back up cameras in the trucks. It is a way for him to know what is going on when someone calls with a complaint. If there is an accident, we can see if it is factual or not. He also put together a policy for those cameras and will be reviewing that with them over the next few days.

Mr. Moore asked if they needed internet in the ballroom, he thought they had cell phones. Mrs. Gates said whenever there are conferences, they use screens for their presentations and use internet and we also use it for music for events.

A motion was made by Mr. LaMonaca and seconded by Mr. Bahorik to approve the bills for February 2025. Motion carried.

Approval Payroll A motion was made by Mr. LaMonaca and seconded by Mr. Bahorik to approve payroll for February 21st and March 7th of 2025. Motion carried.

Engineering Report

1. PENNVEST Sewer Project
 - a. USG to complete CCTV in project areas
 - b. Working on Act 537 Plan Update and Uniform Environmental Review
 - c. Continue mapping project areas with new aerial imagery
 - d. Schedule:
 - i. Winter 2024-2025: Survey & Mapping
 - ii. Spring 2025: Begin Preliminary Design
 - iii. August 2026: PENNVEST Submission (Tentative)
2. 2025 PA DCED Small Water & Sewer Program
 - a. Water, sewer, storm water and flood control projects.
 - b. Eligible projects with total cost between \$30,000 and \$500,000.
 - i. Matching funds of 15% required.
 - ii. Application due by April 30, 2025; \$100 Application Fee
 - iii. A resolution will be needed at the April meeting.
3. 2025 PA QCEQ Multimodal Transportation Fund (MTF) Program
 - a. I did not receive funding for the Graham Avenue Sidewalk and Light Pole Replacement project submitted in 2024.

- b. 2025 Applications are now being accepted.
 - i. Eligible projects with total cost between \$100,000 and \$3,000,000.
 - ii. Can request 30% match requirement be waived.
 - iii. Application due by July 31, 2025; \$100 Application fee.
- 4. Dollar General
 - a. EADS to review Dollar General's land development submission for compliance with the Borough's Stormwater Management Ordinance.
- 5. 2024 LSAS Grant Application
 - a. Submitted 27th Street Stormwater Culvert Replacement Project.
- 6. 24th Street Bridge Project
 - a. Construction planned for 2025.
- 7. 22nd Street Bridge Project
 - a. Let date is February 12, 2026; Construction planned for 2026.

**Cash Bal./
Treasurer
Rpt.**

Mr. Moore said up to this point he has been stressing our needs. If you go over to the debt balances we have over a million and a half dollars in loans, and we have a 15 million dollar sewer project coming up.

The other thing is our income is 11% and our expenses are 18%. He said he knows we have money coming in but we have only had two months, and we are already \$150,000 over budget.

Mr. Moore said in the ballroom report not counting the \$20,000 donation from the general fund, income for two months was \$4,000 and we spent \$18,000. 7.2% compared to 16.7% difference there. When you think about giving money out, remember about this.

Mrs. Gates said two of the loans Mr. Moore is talking about are PennVest loans which are paid from our sewer account and have nothing to do with our general fund.

Mr. Rummel said all the insurances come out in the beginning also, right? Mrs. Gates said they are paid monthly, what it is, is waiting on the tax revenue to come in and you see a difference in March and especially April.

**Council
Liaisons**

Pete said the Windber Municipal Authority meets tomorrow night.

**Rummel/
Library**

Mr. Rummel said there is an opening coming up if anyone is interested in being on the library board.

**Bahorik/
Fire Dept.**

Mr. Bahorik said the fire department will be selling a ladder truck to pay the bills. He believes they are selling Windber's ladder truck. They are hoping to get around \$600,000. They are also selling the 1986 tanker. Mr. Bahorik has a meeting with the fire department on Wednesday.

**Ledney/
WAA**

Dr. Ledney said their meeting is on Wednesday, but everything is moving forward with the remodeling of the sewer plants. It will be a 10-to-12-million-dollar project.

**Mayor's
Report**

The Mayor is currently absent due to medical issues but is recovering well.

**Manager's
Report**

Fire Department Request- We have been asked by the Fire Department for support. Windber Borough this calendar year is paying \$66,000.00 in funding. For the next year the Borough is being asked to increase that support to three mills, nearly doubling what we give now. That is an enormous amount of support without any Borough oversight. I would recommend the Borough Council have a workshop with the Fire Department to discuss this funding, and oversight. I would also suggest the Borough investigate the possibility of having a seat at the management table. There is a large amount of taxpayer funding being considered and I believe the Borough should be a part of the decision-making process.

I do believe it is important to continue to support the Fire Department's needs. Furthermore, I believe the Borough should not commit to any more funding beyond what is already committed till the other serviced municipalities come to the same level of millage commitment as Windber Borough. This will allow an evaluation of money committed vs. what is needed with solid numbers in place. It would be a mistake to invest this amount of funding without first taking these steps.

Christmas 2025- In 2024 we were asked to participate in a Christmas Project with the School District and it was successful. When we first met with the school all parties agreed that this would be something to grow each year. Last year we had a very late start. Since then, I have been in contact with Glenn Gaye, and we have been putting together some ideas. The school has requested \$1,200.00 from the Borough to make decorations for around the Borough and Park. I have met with the Borough Staff, and we are putting together a Christmas Season Event coupled with the school. The Borough is opening a Christmas Donation account that will be open for contributions from the public and businesses to help fund the event. I am donating \$25.00 a paycheck to this account throughout the rest of this calendar year. I would ask the council and anyone else who may be interested in donating as well. We are working on getting this \$1,200.00 through a donation.

Anything above and beyond will support events at the Ballroom and Park for the Christmas Season. The hope is to do this every year traditionally.

Jr. Council Person - I'm also requesting approval of the council to add a Junior Council Person from the school.

Police Building- The sewer lateral from the Car Quest portion of the building has been located. The new owner will be contracting to install a new lateral. The Borough Crew will be assisting with traffic control when this work is being done.

Borough Building Basement/Decoration Storage- The basement is at one hundred percent completion, except for, the window. We finished the project at approximately \$1,500.00 under budget, thanks to the crew doing the work efficiently. We are applying for a permit to move the shed/garage from the 21st property to the lot at 1407 Midway. This will keep things the same for the volunteers to do their work at this location.

Mr. Moore asked if we are going to go by the amounts according to percentages. We know we are the larger municipality. Are we going to give all of it and they are only going to get a little bit from each one. Manager Allison said we are currently giving about a mill and a half. They are going to ask us to step up to three mills. His suggestion is for the other municipalities to commit to a mill and a half like we are.

Mr. Moore asked if a mill is the same here as it is there. Manager Allison said no. Mr. Bahorik asked how we push that forward. Do we need to have a meeting with the fire department and all the municipalities. What do we need. Manager Allison said we first need to meet with the fire department and tell them what our thoughts are.

Manager Allison said he suggests in two weeks we have a workshop and sit down with them. He does not think it is for us to go to the other municipalities because Rich and I have already done that. The fire department comes to us first and we need the others to catch up. It is more their job than ours. Get out and get the other municipalities on board.

Manager Allison said when we come to the same millage rate we need to look at the books and see what is being spent and what we need to spend versus if we all just throw money at them, what are their needs. We need to do a step process here. We are already \$66,000 next year and that is a lot of money to put down without having a say so as to how it is spent.

Mr. Bahorik said with them selling that ladder truck in making it right is a good step for them. Manager Allison worries that they are selling a piece of equipment that they have no back up for. Mr. Bahorik said they have two ladder trucks. He is assuming they are selling the longer one that belongs to Windber. He believes everyone must be on the same page. We need to look face to face at what is going on and why the others are not stepping up.

Mr. Bahorik said it sucks they have to sell a piece of equipment but they are doing it so they do not deplete their cash. At least they are trying something. Mr. Maddy asked if they sell that truck will they have a ladder truck that will reach the Quemahoning Towers. Mr. Bahorik said they will still be able to reach.

Mr. Bahorik said whatever happened in the past happened and we need to move forward. Manager Allison agreed. He believes the Northern Regional Fire Department is going in the right direction. We need to meet with the other municipalities.

Mr. Moore said we should be going by percentages of our budgets. We should all give the same percentage that is the way to go. Mr. Bahorik said it was nice to see us support the fire department and this year they will sell around 700 tickets for the gun bash. He feels we are moving in the right direction.

Mr. Moore said regarding the Christmas decorations, did Mr. Allison talk to the employees about it. Manager Allison said yes and if anyone wants to donate, we appreciate it.

**Solicitor's
Report**

Attorney Green said he will discuss Letter A, under New Business.

**Codes
Report**

There were no further questions at this time.

- Ballroom Report** Mr. Rummel said they are working on getting the gazebo and chairs for an outdoor venue, which is something to look forward to.
- Discussion Solicitation Ordinance** Manager Allison said he had talked with Mr. Rummel about the issues of people going door door to door. While speaking with the Chief we really do not have an enforceable ordinance in place. Manager Allison said he found one that another municipality is using, they are tweaking theirs also.
- Mr. Klonicke asked how soon we could act on that. Manager Allison said we must figure out what we are doing first. Mr. Rummel said Anderson Windows was going around a couple of weeks ago, which was after hours, and council members and police were getting calls about it. He said sometimes three people knock on the same door at night and they go to the same houses several times.
- Mr. Rummel said we want to see what we can legally do about the soliciting times. Mr. Moore asked if that would hurt like girl scouts and things like that. Mr. Rummel said no, he was shocked because he was notified these people were knocking on people's doors at like 8 or 9 o'clock at night. We will look for something on this at the next meeting.
- Quick Claim Deed** Attorney Green said the property Mr. Jerley brought and put a garage up on at 18th Street and Graham (he showed council the yellow highlighted portions on the map) One is a 20-foot unopened alley and the other is a 4-foot unopened alley. The people he bought it from gave him a quick claim deed with no warranty, no guarantee and rather than him going back and trying to see if Windber Borough has any interest in it, it is easier to give away any interest we may have in it.
- Attorney Green said he already owns both sides of these paper alleys. He had the deed today and just needs approval for Rich Rummel, Council President to sign on council's behalf.
- A motion was made by Mr. Klonicke and seconded by Mr. Bahorik to approve Richard Rummel Council President to sign the Quick Claim Deed on behalf of Borough Council. Motion carried.
- Jr. Council Person** Dr. Ledney said we had one before, didn't we and what do they do? Mrs. Gates said yes, we did a long time ago. They do not vote but do participate in the meetings and activities. Mr. Rummel said they have one at the school also. Mr. Moore asked if this was going to cost any money. Mrs. Gates said no it does not cost anything.
- A motion was made by Mr. Klonicke and seconded by Mr. Bahorik to approve a Jr. Council Person. Motion carried.
- Misc.** Mr. Bahorik said there is a resident on 9th Street and there have been several complaints about noise. He said hopefully we can figure something out, because he knows him and gets along with him, but he doesn't want to see anything bad happen there. Manager Allison said we have a nuisance ordinance. Chief Frear said we have stopped there and have given him a chance to turn the noise down and he usually does that for us.
- A motion was made by Mr. Moore and seconded by Mr. LaMonaca to convene to an executive session on personnel and legal matters at 8:02 p.m.

Rich Rummel reconvened council from an executive session at 8:16 p.m.

**Next
Meeting**

The council will hold a workshop on March 24, 2025, at 6 p.m. The next council meeting will be on April 14, 2025, at 7:00 p.m.

Adjourn

A motion was made by Mr. LaMonaca and seconded by Mr. Moore to adjourn the meeting at 8:20 p.m. Motion carried.

Respectfully submitted by:

Robin S Gates
Administrative Assistant