

**BOROUGH OF WINDBER**  
**Borough Council Meeting**  
**Monday, October 13, 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, Herb Moore, Joe Pallo and Rich Rummel. Dr. Doug Ledney was absent. 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 September 8, 2025. Remarks: Mrs. Gates said we did not get the minutes back from the special meeting yet. Mr. Rummel notified everyone that Mr. Moore is also taping the meeting for his personal use. One absent, Dr. Ledney, motion carried.

**Visitors**

Dave Kormanik said he lives on Park Avenue, above 160 between Cemetery Road. He handed out two copies of a petition he is submitting. Ninety percent of all the residents, the homeowners have signed it, and he read it into the record so council understands what it is all about.

**Dave  
Kormanik**

We the residents of Park Avenue from state route 160 up to and including Cemetery Road, as well as, concerned citizens, hereby petition that Park Avenue and applicable areas of Fourth Street be exempted from the proposed ATV Ordinance which would allow ATVs to travel our borough streets.

Since Scalp Level Borough passed a similar ATV ordinance, Cemetery Road has become a thruway for ATV traffic to illegally access private property owned by Berwind Corporation. Adjacent to that area there are approximately seven church cemeteries that are also impacted along with the All Faiths Chapel & Mausoleum. This road has become a racetrack for dirt bikes, ATVs, side by sides, and minibikes. These tranquil cemetery areas are sparsely patrolled by local police.

As taxpayers we consider all these cemeteries to be sacred and sanctified areas which government authorities should provide enforcement to respect and protect the area from excessive noise, traffic and disturbances. The cemeteries have constant visitors whose peace and safety should be protected. Access to Cemetery Road is generally by way of Fourth Street and Park Avenue.

In addition to concerns for those visiting their loved ones at the cemeteries/mausoleum, many people also use cemetery road as a walking path on their way to Windber Recreation Park. The majority of these people are also borough taxpayers as well, and their safety should be your concern too.

We request that Park Avenue and the Windber Borough section of Fourth St. which connect to Cemetery Road be clearly posted No ATVs and Police enforcement be provided. We are also providing a copy of this petition to Scalp Level Borough in hopes that they will amend their Ordinance to also limit all ATV traffic to Cemetery Road.

As residents of Park Avenue, we have experienced constant noise from ATVs and dirt bikes exceeding all legal posted speed limits and noise restrictions. Many residents of Park Avenue have provided complaints including video to Windber Police only to be told offenders need to be "caught in the act."

We believe Windber Borough police cannot provide enough resources to adequately enforce a new ATV ordinance as for several years they have not been able to enforce the problems under the current Ordinance.

We ask that if the new ATV ordinance be enacted that the roadways mentioned above be excluded and clearly posted "No ATVs".

Mr. Kormanik said when you live in that area and he is sure all of you have attended services up there for someone there is a certain sensitivity, he will call it, that you develop when you see the honor guards for the veterans. Its not just one day out of the year that services are going on. It should apply always.

Mr. Kormanik said those petitions if you look at them closely are signed by all three parish priests for the cemeteries up there concerned.

Mr. Kormanik said they are asking council to consider posting that area. What happens is people come up Park Avenue, hit Cemetery Road, they open them up, run out Cemetery Road cut back or cross over into the Berwind properties and ride their ATV's. He said he personally has nothing against that has a hobby ATVs, but they do not want it on their street and 90% of the residents up there agree with him. They want to keep the cemeteries quiet, peaceful and respectful for everyone.

**Tom  
Piscitella**

Tom Piscitella owner of the Windber Hotel said a long time ago Art Palumbo came to him and things were not going well in town business wise and Art asked him if he could get people here. Mr. Piscitella said he can but he doesn't know if everyone is going to like it. Art said get people here we will try it and if people don't like it, we will end it. Mr. Piscitella said he doesn't know if anyone remembers but we had the streets packed with Thunder in the Valley. It went on for a few years and it ended.

Mr. Piscitella said every time you go up Route 30 you pass Forbes Trail Brewing, the Alley, and Shorties Restaurant there are five, six, seven side by sides in their parking lots every time you drive past. He as a business owner as well as others are operating on the smallest business margin in 20 years. It's tough to make a dollar and if this is possible, he doesn't see how we can shy away from this.

Mr. Piscitella said the vehicles they are making are safe. He has a 1975 International Scout with a lap belt and no roof on it. Can something be done where if you get a ticket and then get a second ticket your done and you're not allowed back in the borough.

Mr. Piscitella said there are a lot of people around here that he knows, that would greatly appreciate the extra business and the traffic through town and he does not see where this could be anything wrong for us at all.

**Mark  
Rager**

Mark Rager thanked council for allowing him to speak to them tonight. He said a majority of those here tonight are here for the main topic of legalizing ATV's and Side by Sides roads here in Windber. He would like to discuss the following topics that show the benefits of this.

1. Economic Advantages – With a population of around 3,900 people and a medium income of around \$52,000 the community is small, largely residential, local business and many residents working in nearby Johnstown and elsewhere. With ATV's and Side by Sides on the rise with a recent study of around 285,000 registered ATV's and UTV's there are only about 11 trails systems to ride here in Pennsylvania. Many towns have looked at ways to increase revenue for their area and one way was to increase the use of ATV's and UTV's on the road.
2. Tourism -Towns who have legalized road access to ATV's have seen an increase in tourism especially in areas near trail systems. The Windber area is suited nicely for trails and connector locations. Riders are more likely to visit towns where they can legally use their ATVs to travel between trails, lodging, gas stations and restaurants. This helps local businesses and leads to job creation.

Mr. Rager cited a recent study by Penn State University called the North Central Regional ATV Trail. Where through the help of DCNR expanded regional trails with over a two-year period brought in over 23.5 million dollars in economic revenue. He is not saying that we are going to be able to produce 23 million dollars in two years but we will certainly lay the foundation for connector projects such as expansion of the Hatfield McCoy Trails, ATV poker runs, and similar outdoor recreation activities.

Mr. Rager said they would also encourage residents who get into their cars to go to dinner in Richland or where ever to get into their ATV or UTV to support their local economy.

3. Transportation Options– in rural and remote areas ATVs can serve as a practical and affordable mode of transportation. Roads in these regions offer less traffic and are well suited for ATV use. Side by Sides on the road give residents more flexibility and transportation choices particularly for short transportation travel.
4. Access/Convenience – Legalizing ATVs on public roads can improve access to trails. Riders no longer have to load ATVs off the trailers to drive short distances between trail heads making their journeys more convenient. For outdoor enthusiasts it is more time riding and less time dealing with logistics.
5. Community/Recreation – ATVs foster communities through group rides, local clubs and organized events. Legal road use allows for more activities helping to bring people together and support an outdoor culture. Recreational ATV use is a popular

hobby in many regions and road access can expand and enhance the experience by connecting trails and expanding riding opportunities.

6. Valid Concerns – Many valid concerns can be addressed with proper regulations. The benefits for allowing ATVs on the roads especially for encouraging economic growth makes this policy worth considering for communities like ours. With the right framework in place integrating ATVs can be both practical and beneficial.

Mr. Rager said those sitting here tonight took the position for the sole purpose to better our community whether it is to serve and protect, volunteer services, fundraisers, car cruises or miner day's he is very proud of what this community has to offer and he believes the use of ATVs and Side by Sides on the road will be a building block to a better foundation of the community.

**Todd  
Koehler**

Mr. Todd Koehler said if anyone here has never ridden a Side by Side, he is sure anyone here would be more than happy to take you for a ride. They are very safe, very comfortable.

Mr. Koehler said just about every municipal fire department has one of these vehicles for vehicle rescues. They go in snow, you can plow snow with them, they go in mud and water. You're adding another vehicle to the family especially for winter. Please pass this and don't let it go by.

Mr. Koehler said they are very, very family oriented. He was out at the Mountain Ridge this weekend and there were at least 300 campers there, just families after families so don't let it go or waste the opportunity to pass this.

**Lynn Crisi**

Mr. Lynn Crisi urged council to pass this and help the businesses of the community.

**ATV-Side  
By-Side  
Ordinance**

A motion was made by Mr. Bahorik and seconded by Mr. Klonicke to approve the ATV/Side-by-Side Ordinance No. 2025-4. Roll call vote: Mr. Bahorik, yes; Mr. Klonicke, yes; Mr. LaMonaca, yes; and Dr. Ledney, was absent. Mr. Moore said he is going to vote yes but he would like to comment that he thinks we are jumping into this a little bit early. He would like to hear from some of the municipalities and townships why they voted it down. He would like to hear from the residents that have not fully spoken up. He can see that the community wants this and he is for what the community wants so he votes yes. Mr. Pallo, voted yes and Mr. Rummel voted yes. Motion carried.

Mr. Rummel said they will definitely take the petition into consideration regarding the cemetery. He spoke further with Mr. Kormanik regarding the issues of the ATV's and motorcycles in that area. Especially motorcycles driving through there and making noise during funerals and funerals of veteran's when taps are playing. Mr. Rummel said they will look into it further and he understands what they are saying.

Mr. Crisi said the other municipalities that have not passed it have the same solicitor and he seems to think it is against federal law and that is why they were not passed. Mr. Moore said Somerset County is a rural area and every time we run into something especially with money, we have always leaned towards the Cambria County line, not the

Somerset County line. Now we are leaning towards the Somerset County point of view. What about Richland and Johnstown. Did Central City pass it because he heard they did and he talked to one of their board members, and he said they did not. Mr. Crisi said almost all of Somerset County, northern Somerset County, and Somerset Borough's will probably pass it. Berlin Brothers Valley passed it. Mr. Moore asked if the Cambria County municipalities passed it. Mr. Crisi said he could not answer that. Mr. Moore said he would like to hear their point of view.

Mr. Crisi said the big thing is that Somerset County has started, and other counties around it will start to join. Mr. Moore said he is concerned about the older people.

## **Correspondence**

1. Windber Municipal Authority Report for August 19, 2025.
2. Windber Area Authority Minutes of August 13, 2025.

### **Approval Bills**

A motion was made by Mr. Bahorik and seconded by Mr. LaMonaca to approve the bills for September 2025. Remarks; Mr. Moore said on page three, Work Place Health, what is that. Mayor Thomas said that is for an employee returning to work. Dr. Ledney was absent, motion carried.

### **Approval Payroll**

A motion was made by Mr. Bahorik and seconded by Mr. LaMonaca to approve payroll for September 19 and October 3, 2025. Dr. Ledney, absent, motion carried.

## **Engineer's Report**

### PENNVEST Sewer Project

- a. Preliminary Design - in progress
- b. Act 537 Plan Update
- i. Council can approve Act 537 Plan Update after DEP approval.
- c. Uniform Environmental Review
- i. Working on alignments and environmental work.
- d. Schedule:
  - i. Fall/Winter 2025-2026: Complete preliminary design & submit permits
  - ii. July 2026: PENNVEST Submission (Tentative)
- e. Rules & Regulations

### 2025 LSAS Grant Application

- a. Project costs of \$25,000 to \$1,000,000; 100% grant.
- b. Applications due November 30, 2025; \$100 application fee

### Flood Protection Project

#### PA DCED Flood Mitigation Program

- a. Applications accepted February 1 to May 31.
- b. Grants not to exceed \$500,000; a 15% match of total project cost required.

#### PA DCED Small Water and Sewer Program

- a. Applications are accepted February 1 to April 30.
- b. Total project cost of \$30,000 to \$500,000

24<sup>th</sup> Street Bridge Project

- a. Final inspection scheduled for October 15.

22<sup>nd</sup> Street Bridge Project

- a. Phase 2 Archaeology field work started 9/2/2025.
- b. Construction planned for 2026.

2025 PA DCED Multimodal Transportation Fund (MTF) Program

- a. Graham Avenue Light Pole Replacement Project Phase 1

2024 LSAS Grant & 2022PA DCED Small Water & Sewer Program

- a. Submitted 27<sup>th</sup> Street Stormwater Culvert Replacement Project.

**Cash Bal./  
Treasurer  
Report**

Mr. Moore said he is looking at the treasurer's report and we are close to budget time and we are at 98.2% of expending our budget and we should be at 75%. If it continues, we will be 31% over budget and taxes are going to be going up again. The other one is the ballroom we are over 100% with that one and at the end of the year we will be 134%. Last year we put \$24,000 into it and this year we put \$46,000 into it and if the projection keeps going, we will need another \$37,987 at the end and right now we are wasting \$84,000 every year flushing it down the toilet. We need to do something. He wanted to draw that to everyone's attention so they know.

**Council Liaison Report**

**LaMonaca/  
WMA**

Mr. LaMonaca said their meeting is tomorrow night. Mr. Rummel said he heard the Italian Days was very successful at the park.

**Rummel/  
Library**

Mr. Rummel said there is nothing new with the library.

**Mayor's  
Report**

On September 11 & 12, 2025 Mayor Thomas attended the Pennsylvania State Association of Borough's 2025 conference planning meeting in State College. These meetings were held to set the agenda for the spring conference.

October 7<sup>th</sup> Mayor Thomas along with Manager Allison and Emergency Management Coordinator Bob Larson attended a Coordinated Response & Excavator Exercise Pipeline Safety Program held in Somerset.

This Thursday evening Windber Borough is hosting the Somerset County Borough's Association meeting at Rizzo's Restaurant.

**Manager  
Report**

Manager Allison was unable to attend tonight due to a family emergency. Mr. Moore said he wanted to ask Ron this but since he is not here, he will ask Council. He said this affects him a little bit and he hates to do this because he is on council. There is a ditch by his place on borough property in the alley and the borough did a wonderful job trying to fix it but they are not finished yet. Mr. Moore asked them if they were going to put top soil over top of the ditch and they said no. There is about an offset of two to four inches there were someone could fall and sprain their ankle. There is also a pipe that comes out

for the clean out sticking out five to six inches and it is a 12” pipe and it is open. He has grand kids and his neighbor has grandkids and people walk from the school up to the track and if someone falls in there his two neighbors said tell council they are on notice for liability because that pipe is that deep. Mrs. Gates asked Mr. Moore if he called Ron? Mr. Moore said he told him about it before and he told Roger. Roger said they are under the impression they are done up here. Mr. Rummel said he will remind Ron about it.

**Solicitor’s Report** Attorney Green said he had nothing to report at this time.

**Codes Report** Nothing to report at this time.

**Ballroom Report** Mr. Rummel said we have a new person Mrs. Brehm and he likes what he sees so far and is stepping up.

**Nuisance Ordinance** Mr. Rummel said the reason he wanted to go over it again was to see if there were any loop holes in there that we are not aware of or make it a little tougher.

Mr. Rummel said he got called out to a friend’s parents house and he did a little cordial stop by and everything was fine then all of a sudden, the guy started playing his music. across the street, one house down, in the back yard we could hear it and it is not music you want your kids listening to. He looked at the ordinance and it does say playing loud music, radios beyond the boundaries of that property. A noise or discomfort to persons beyond the boundaries of the property. He feels that falls under that ordinance.

Attorney Green said that paragraph right now would not stand. Loud noise and etc. has to be limited to certain time frames. Annoyances and discomfort to persons beyond the boundary of that property, the courts have said how do you define that. Your definition of annoyance is different than their definition of annoyance. Your definition of comfort is different than their definition of comfort.

Attorney Green said Nuisance Ordinances are really difficult to write, some of them have decibels. Then we would have to get a decibel reader and someone trained to read that. Mr. Rummel said he thought this was something we could reattack and see if any other municipalities have anything. Attorney Green asked Council to give him the go ahead to look around. He is thinking of one now that he likes but give him a month to come back with something. Council agreed.

**Fire Dept Sub-Committee** Mr. Rummel said a subcommittee for the fire dept. was brought up because of the 3-mills we are giving to the fire department next year. We would like three councilmen to volunteer for a subcommittee with the fire department. Mr. Moore said he would volunteer, Mr. Bahorik is already on it as the liaison and will stay on it and Mr. LaMonaca said he would volunteer also.

Mr. Bahorik said the meetings are the 2<sup>nd</sup> and 4<sup>th</sup> Wednesdays of the month at 7 p.m. at the Scalp Fire Hall. Mr. Rummel told council to keep in mind they are there to do their job, we are not there to tell them what to do.

**Mills Dispersed Fire Dept.** Mr. Rummel said we already voted to give them three mills; however, we only get 96/98% of our millage each year because of unpaid taxes. With that being said the fire department will get what we get. If we get 98%, the fire department will get 98%. Mr. Rummel asked if council understands that. They said yes. Mr. Rummel said they will not get 100% of three mills.

**Next Meeting** There will be a budget workshop on the 27<sup>th</sup> of October at 6:30 p.m.  
The next council meeting will be November 10, 2025 at 7 p.m.

**Misc.** Mr. Bahorik asked if they could have an executive session for a question regarding the Dollar Store. Attorney Green said they could not if it did not have anything to do with personnel or a contractual issue.

Mr. Bahorik said people have been asking him about the digging and the dirt being contaminated. Should it not be contained. Mr. Rummel said they drilled holes and tested the soil and EPA did their thing before they dug so those rumors are false.

**Adjourn** A motion was made by Mr. Bahorik and seconded by Mr. LaMonaca to adjourn the meeting. One absent, Dr. Ledney. Motion carried. Meeting adjourned at 7:35 p.m.

Respectfully Submitted By:

Robin S. Gates  
Administrative Assistant