

Borough Council Regular Meeting July 10, 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, Pete LaMonaca, Douglas Ledney, Ron Mash, Joe Pallo, and James Spinos. John Holden was absent. Jim Furmanchik, Borough Manager and Mayor Scott Penrod were present. Attorney, Joseph Green was present.

Approval Minutes A motion was made by Mr. Spinos and seconded by Mr. Mash to approve the Minutes of June 26, 2018 meeting. One absent, Mr. Holden. Motion carried.

Approval Liquor Lic. A motion was made by Mr. Spinos and seconded by Mr. Ledney to approve Resolution No. 2018-4 of the inter-municipal transfer of restaurant liquor license No. R-16782 to Windber Borough for Little o Fresh and Friendly, LLC t/a Randy's BiLo. Roll call vote: Mr. Spinos, yes; Mr. Ledney, yes; Mr. Bryan, yes; Mr. Holden, absent; Mr. LaMonaca, yes; Mr. Mash, yes; and Mr. Pallo, yes. Motion carried.

Correspondence

1. Minutes of the Windber Municipal Authority's May 15, 2018 Meeting.
2. Copy of Anson Blooms Certification with the International Code Council.

Approval Cruise-ins Mr. Furmanchik said we received a request from Dave Petrunak. He would like to continue the car cruise-ins in Windber Borough. He said they would be every other Friday beginning July 13, 2018 and last one would be September 21, 2018.

Mr. Furmanchik said Mr. Petrunak would like to close the bottom of 15th Street between Graham Avenue to the end of his property that meets the Windber Hotel. It would be closed from 6 p.m. until 11 p.m.

A motion was made by Mr. LaMonaca and seconded by Mr. Spinos to approve Dave Petrunak to hold car cruise-ins in Windber Borough every other Friday night beginning July 13 through September 21, 2018 and permission to close the bottom portion of 15th Street between Graham Avenue and the end of his property that meets the Windber Hotel property. One absent, Mr. Holden. Motion carried.

Approval Payroll A motion was made by Mr. Spinos and seconded by Mr. Mash to approve payroll for July 6, 2018. One absent, Mr. Holden. Motion carried.

Approval Bills A motion was made by Mr. Spinos and seconded by Mr. Mash to approve the bills for June 2018. One absent, Mr. Holden. Motion carried.

Cash Bal. There were no questions at this time.
Treas. Rpt.

Council Liaison Reports

Mash/Hall Of Fame Mr. Mash said the Hall of Fame Committee met and will be meeting again on the 18th. They are going to be nominating some people and will hold an induction in the Spring of 2019.

Mayor's Report Mayor Penrod thanked the police department for assisting the Hole Shot Rod Run cars out of town. They did a nice drive through town. Mr. Spinos said Officers Balderas and Hall assisted by stopping traffic while the classic cars paraded out of town. Mayor Penrod said he counted approximately 82 cars in the run.

Mayor Penrod invited council to attend the Windber Recreation Park Wings-n-Waves event at the Windber Recreation Park Thursday night.

Manager's Report **Police Department Lease Agreement** - The property owner promises to be available for a meeting before our July 10th meeting.

Mr. Furmanchik said he met with Mr. Paul Beahr and they have gone back and forth with regards to the lease and his final increase is \$135 a month for a five year lease. Mr. Furmanchik asked council to think about this for approval for the next council meeting.

Gazebo Speakers - The new speakers have been installed by Jim Spinelli. The wiring will be completed shortly, and I am sure the result will be fantastic. I realize that Jim volunteered to do the install, but he has quite a few hours invested in the project. I would urge council to consider a small form of compensation for his efforts.

Mr. Furmanchik said Jim Spinelli recommends we purchase a mixing board that is no bigger than an I Pad. The cost is \$99.95. We would not have to drag the big case around. Mr. Spinos said with the smaller set up it would be used more and be so much more convenient.

A motion was made by Mr. Spinos and seconded by Mr. LaMonaca to purchase the mixing board for \$99.95 from the Capital Improvement Fund. Roll call vote: Mr. Spinos, yes; Mr. LaMonaca, yes; Mr. Bryan, yes; Mr. Holden, absent; Mr. Ledney, yes; Mr. Mash, yes; and Mr. Pallo, yes. Motion carried.

A motion was made by Mr. LaMonaca and seconded by Mr. Spinos to give Jim Spinelli a \$50 gift card to Randy's Bilo. One absent, Mr. Holden and Mr. Mash voted no. Motion carried.

Borough Building Stairway Repair- Moyer Concrete has completed the repairs and it looks great.

Public Works Garage - Dave Kormanik has completed the installation of the security cameras. Everything works well and Dave offered his assistance, free of charge, to research recordings if the need would arise.

769 Railroad Street - The Maffeo's have appealed the Zoning Appeals Board decision to the Somerset County Court of Common Pleas. Attorney Green will try to have the appeal scheduled in an expeditious manner to the best interest of neighboring residents.

Tree Removal at Recreation Park - I have had four trees removed and stumps ground out from in front of the ballroom. All four were dead and one was causing a hazardous situation to the park's day camp. The total cost was \$2,250.

Twist Lock Connections on Event Power Cables - I have reached an agreement with a local electrician to put twist loc connections on all our cables and to install a bank of twist lock receptacle at the Park. The total cost of the project will be approximately \$500.

2018 Street Paving - Quaker Sales has completed the road resurfacing within the Borough. All workmanship was completed in a first class manner.

Grant Opportunities - ongoing

School Resource Officer- With Kyle Wirick's resignation to accept a job with Johnstown, only one officer has shown interest in the SRO position. Officer Jason Knipple has been interviewed by the school district and we are awaiting the outcome.

Public Hearing - There will be a public hearing at 6:30 PM before our July 10th meeting. The purpose will be to consider the inter-municipal transfer of a liquor license to Randy's Bi-Lo. Please plan to attend.

Landscaping 12th Street Exit – Mr. DiLoreto submitted a quote of \$1,315 to landscape the area of the sign off the 12th Street Exit. It includes 24 lineal feet of landscaping block and two courses and one row of caps. Summer Hydrangea, purple coneflower and coreopsis will be planted there. Council approved Mr. DiLoreto to do the landscaping at the last meeting and he will proceed.

Mr. Bryan asked Mr. Furmanchik to take a look at the piles of saw dust and chips at the park. there are several piles in the back end of the park along with branches. He said it looked bad and should be removed. Mr. Furmanchik will take a look at it.

Connector on 24th Street – Mrs. Gates said last Monday we had a huge storm with a lot of lightning and the connector for the traffic light at 24th Street and Route 56 was struck by lightning. The cost to replace the fried board is approximately \$7,500 as quoted by Mr. Barclay of Barclay Electric. Mr. Ledney said he was down there and the light was working. Mrs. Gates said Mr. Barclay has leased one at the present time and the person who he is leasing it from does not want to sell it.

Mr. Bryan asked if we have insurance for something like that? Mrs. Gates said no, but Mr. Barclay has discussed the type of insurance necessary with Mr. Hollern and they will be getting some quotes to us in the near future. Mrs. Gates said she contacted Kim at Kotzan's CPA and we can use monies from the Capital Improvement Fund to pay for it.

A motion was made by Mr. Spinos and seconded by Mr. LaMonaca to approve the purchase of a new connector board for the 24th Street and Route 56 traffic lights and amount will be paid for from the Capital Improvement Fund. The cost will not exceed \$7,500. Roll call vote: Mr. Spinos, yes; Mr. LaMonaca, yes; Mr. Bryan, yes; Mr. Holden, absent; Mr. Ledney, yes; Mr. Mash, yes; and Mr. Pallo, yes. Motion carried.

Solicitor's Report

769 Railroad Street. Attorney Green said the Maffeo's have filed an appeal. They did it on on the last day. He gathered together all the exhibits, transcript and the copy of the zoning code and delivered it to the Prothonotary's office last Friday. Hopefully they will get on the court calendar sometime this summer.

Albright Property. Attorney Green said he finally got a hold of John Barkman and spoke to Judge Rullo. Joan Albright has filed bankruptcy and we are right in the middle of this Superior Court Appeal. The agreement that Mr. Furmanchik reached with her attorney and Judge Rullo that she refuses to sign.

Attorney Green said he wrote a very even handed agreement. Her attorney said it is fine but she does not want to sign it at this point. He can't force anything until he finds out what bankruptcy court is going to do with it because it is a potential asset at least the land any how because it is a condemned building. Our two years is still running on the condemnation.

Trevorrow Property. Attorney Green said he had a hearing in Somerset on Ralph Trevorrow's property. He has an old fire truck and lots of junk. Judge Geary told him he had 30 days to clean it up and if he didn't clean it up his fine would be at least \$1,700. Anson was on vacation so the morning of the hearing he drove to the property and viewed it and it is in the same condition as the 30 days prior and the judge fined him and it was over \$2,000. Attorney Green said it is over and we should recoup around \$1,700 of that.

Mr. Furmanchik said he has cited the Maffeo's once again because he received a photo from their neighbor of animals on the state road. They have appealed and are requesting a hearing in front of the magistrate. Mr. Furmanchik said he would talk with Attorney Green about it more.

Approval Resolution

A motion was made by Mr. Spinos and seconded by Mr. LaMonaca to approve Resolution No. 2018-3 whereas, Windber Borough, Somerset County, PA requests a Multimodal Transportation Fund Grant from the Commonwealth Financing Authority to be used for the 22nd Street Bridge Replacement Project.

Mr. Furmanchik said the grant is due for submission July 31, 2018. EADS is still putting the figures together for the amount of the grant. We are asked to approve the Resolution tonight pending the amount to be filled in at such time the grant will be submitted.

A motion was made by Mr. Spinos and seconded by Mr. LaMonaca to approve Resolution No. 2018-3 submission of Multimodal Transportation Fund Grant pending the amount to be added. One absent, Mr. Holden, motion carried.

Approval Request Windber

A motion was made by Mr. Spinos and seconded by Mr. LaMonaca to approve the borough's contribution to the Windber Fire Company. \$10,000 is the second part of the annual contribution used for day to day operations. \$45,000 is payment for the fire truck.

Remarks: Mrs. Gates said these contributions are budgeted in our General Fund Budget. One absent, Mr. Holden, motion carried.

Next Meeting

The next borough council meeting will take place August 14, 2018.

Adjourn

Meeting was adjourned by Council President, Mike Bryan at 8:45 p.m.

Respectfully Submitted By:

Robin S. Gates
Financial Secretary