

## **Borough Council Regular Meeting December 11, 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, Doug Ledney, Ron Mash, Joe Pallo, and James Spinos. Jim Furmanchik, Borough Manager, Mayor Mike Thomas and Attorney, Joseph Green were present. Mr. Holden was absent.

Council convened into an executive session at 7:02 p.m. for personnel matters.

Council reconvened from an executive session at 7:40 p.m.

### **Borough Manager**

A motion was made by Mr. Spinos and seconded by Mr. Mash to remove the stipulation from the borough manager's ordinance regarding residency and remove James Furmanchik from the fulltime borough manager's position to part-time status at seven days per month on a trial period of one year beginning March 1, 2018. Roll call vote: Mr. Spinos, yes; Mr. Mash, yes; Mr. Bryan, yes; Mr. Holden, absent; Mr. LaMonaca, no; Mr. Ledney, no; and Mr. Pallo, yes. Motion carried.

Mr. Mash left the meeting at 7:45 p.m.

### **Solicitor's Report**

**Maffeo Property.** The Maffeo's appealed to Commonwealth Court.

**Midway Properties-** Properties will be finalized this week. We own one now and will own the other once the deed is recorded.

**Chippie Appeal-** Brief was sent in last week. Attorney Green convinced the Superior Court this could be done on briefs instead of going there and they agreed. We are expecting resolution soon.

**Landlord/Tenant Ordinance** – Currently working on that and will hopefully have ready for the next meeting.

Attorney Green left the meeting at 7:50 p.m.

### **Approval Minutes**

A motion was made by Mr. Pallo and seconded by Mr. Spinos to approve the Minutes of the November 13, 2018 meeting. Two absent, Mr. Holden, and Mr. Mash, motion carried

### **Correspondence**

1. Minutes of the Windber Municipal Authority's October 16, 2018 Meeting.
2. Windber Area Authority's Minutes of the October 10, 2018 Meeting.
3. PA Municipal Code Alliance Report.
4. Minutes from the Somerset County Redevelopment Authority Meeting.
5. Codes Enforcement Officer's Report.

**Approval Payroll** A motion was made by Mr. Spinos and seconded by Mr. Pallo to approve payroll for November 9, 21 and December 7, 2018. Two were absent, Mr. Holden and Mr. Mash. Motion carried.

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

**Old Business** Mr. Furmanchik asked council if they would allow Anson Bloom to start the first business day in January since we will not be hiring a new manager? Mr. Spinos agreed stating that it will help the landlord ordinance to progress by starting him in January.

A motion was made by Mr. LaMonaca and seconded by Mr. Spinos to approve Anson Bloom's starting date as of January 2, 2019. Roll call vote: Mr. LaMonaca, yes; Mr. Spinos, yes; Mr. Bryan, yes; Mr. Holden, absent; Mr. Ledney, yes; Mr. Mash, absent; and Mr. Pallo, yes. Motion carried.

**Cash Bal./ Treasurer Report** There were no questions at this time.

### **Council Liaison Reports**

**Bryan/ Fire Co.** Mr. Bryan said he was with a number of the firefighters this past week in Somerset. We met with the commissioners. We discussed the concerns going on with 911. It was basically a fact finding meeting. The commissioners were very appreciative of hearing the information over the items that were brought to their attention.

Mr. Bryan said they are aware there are similar situations throughout the county and there is going to be another meeting going forward to button and tighten up processes and procedures.

Mr. Ledney asked what the issues were. Mr. Bryan said since we reside on the Cambria/Somerset side there is a lot of overlap and there are situations where information comes out in different formats. There are a lot of time sensitivities to put reports together for the calls. Because of that Cambria County was being held up as an exemplar and there are one or two dispatchers emulating what good looks like and in some cases it is not up to standard and can create some concern with respect to response time and GPS locations. From a public safety stand point we are bringing this to their attention.

Mayor Thomas said there are also similar issues with the police. Mr. Bryan said the concerns he believes will be addressed.

**Mayor's Report** Mayor Thomas said everyone received a copy of the press release from the Walk Works Program. He has been working with Carol Reichbaum, from the University of Pittsburgh and Matt Grohal. We hold a conference call every other Monday morning.

Mayor Thomas said Recreation Park has been approved as a route. They wanted it in town but were able to do a waiver for us due to the certain circumstances of the park. Conferences calls will continue until the program gets underway.

Mayor Thomas said he attended a meeting yesterday with Manager, Furmanchik, State Senator, Stefano and Representative, Carl Metzgar Walker. He said Manager Furmanchik will probably be speaking more about that meeting.

Mayor Thomas said he also attended Light up Night along with Council President, Mike Bryan.

## **Manager's Report**

**New Salt Spreader-** This new piece of equipment has been installed and is serving the public.

**1403 & 1407 Midway Avenue** - The signed copy of the deed for 1407 has been returned to me by the property owner in Eastern Pennsylvania. The Somerset County Tax Claims Office has told me that the deed for 1403 that was purchased at the tax sale should be in our hands by the week of December 10<sup>th</sup>. When the properties are in our name, he will lobby the school district and the county to forgive taxes that may be owed, and the Somerset County Redevelopment Authority can put the demolitions out for bid.

**769 Railroad Street-** Somerset County Judge, Rullo ruled in the borough's favor after an argument court proceeding on October 31st. After giving them two weeks to become compliant, with no results, I am now issuing the property owner a citation everyday with fines that could reach \$500 per day. I'll give you more information at our December 11th meeting.

**Borough Boards and Commissions** - There will be six reappointments and one appointment needed to be completed by motion, at our December 11th meeting.

**CDBG Entitlement-**As you recall, there was a CDBG public hearing before our November 13th meeting. The outcome of that meeting was to move \$46,000 left over from the 25th Street Storm Sewer Project, that was funded by our 2016 entitlement, to our demolition fund. That was approved by DCED and brings our total for building demolition to \$74,000.

**Full-Time Codes Officer-** I have discussed Anson's full-time employment for the Borough with him. He has signed his terms of agreement with the Borough and will begin his full-time position on February 5, 2018.

**113 Railroad Street** - I have reached an agreement with this property owner to sell this parcel to the Borough for \$1.00. We could use CDBG money for the demolition. Attorney Green is investigating documents at the Recorder of Deeds office to make sure it is doable.

A motion was made by Mr. Spinos and seconded by Mr. Pallo to purchase 113 Railroad Street for \$1.00 pending investigation of documentation. Two absent, Mr. Holden and Mr. Mash. Motion carried.

**New Police Vehicle** - The 2019 Ford Explorer will soon be at Team Force for up fitting. Arrangements have been made to paint the doors and for lettering to be applied. I expect the new Explorer to be on the street by the end of January.

**2014 Ford Taurus** - Police vehicle number 895 was approved for purchase for by the Windber Area School District at their December 4th meeting.

**Flood Mitigation Grant.** Mr. Furmanchik met with Vinnie Paczek from EADS today and as always we talk about the flood control project or our sewer system. He believes it would be a good idea and Vinnie agreed it would be a good idea to move into an asset management type of plan. Reviewing what we have and what our priorities are to areas of new main line constructions to put out the fires where we have the problems. Right now we are not moving in that direction now, we started at the furthest point right by the hospital and Windber Research Institute.

Mr. Furmanchik said Metzgar and Stefano are going to try and push this grant because it is close to the hospital and the research institute. Once we are on a fast track to have construction up there EADs will work in a direction to see where we go next.

Mr. Furmanchik said he mentioned to Metzgar and Stefano how important it was to have the Flood Mitigation Grant come to fruition. So we will see what happens with that.

A motion was made by Mr. Spinos and seconded by Mr. Ledney to approve selling the 2014 Ford Taurus to the Windber Area School District for \$5,000. Two absent, Mr. Holden and Mr. Mash. Motion carried.

**Appointment To WMA** A motion was made by Mr. Spinos and seconded by Mr. LaMonaca to appoint Amy O'Hara to the Windber Municipal Authority Board. (Three year term will expire December 31, 2021). Roll call vote: Mr. Spinos, yes; Mr. LaMonaca, yes; Mr. Bryan, yes; Mr. Holden, absent; Mr. Ledney, yes; Mr. Mash, absent, and Mr. Pallo, yes. Motion carried.

**Reappoint. ZHB** A motion was made by Mr. Spinos and seconded by Mr. LaMonaca to reappoint Gwynn Gahagen to a three year term with the Zoning Hearing Board. (Term would expire December 31, 2021). Roll call vote: Mr. Spinos, yes; Mr. LaMonaca, yes; Mr. Bryan, yes; Mr. Holden, absent; Mr. Ledney, yes; Mr. Mash, absent, and Mr. Pallo, yes. Motion carried.

**Reappoint. ZHB** A motion was made by Mr. Spinos and seconded by Mr. LaMonaca to reappoint Allen Ott to a three year term with the Zoning Hearing Board. (Term would expire December 31, 2021). Roll call vote: Mr. Spinos, yes; Mr. LaMonaca, yes; Mr. Bryan, yes; Mr. Holden, absent; Mr. Ledney, yes; Mr. Mash, absent, and Mr. Pallo, yes. Motion carried.

**Reappoint. Planning Commission** A motion was made by Mr. Spinos and second by Mr. LaMonaca to reappoint Keith Vasas to a four year term on the Planning Commission. (Term would expire December 31, 2022). Roll call vote: Mr. Spinos, yes; Mr. LaMonaca, yes; Mr. Bryan, yes; Mr. Holden, absent; Mr. Ledney, yes; Mr. Mash, absent, and Mr. Pallo, yes. Motion carried.

**Reappoint. Planning Commission** A motion was made by Mr. Spinos and second by Mr. LaMonaca to reappoint Mike Balchin to a four year term on the Planning Commission. (Term would expire December 31, 2022). Roll call vote: Mr. Spinos, yes; Mr. LaMonaca, yes; Mr. Bryan, yes; Mr. Holden, absent; Mr. Ledney, yes; Mr. Mash, absent, and Mr. Pallo, yes. Motion carried.

**Appointment To UCAB** A motion was made by Mr. Spinos and seconded by Mr. LaMonaca to appoint David Kormanik to a three year term on the Uniform Construction Appeals Board. (Term to expire December 31, 2021).

**Reappoint.  
Planning  
Commission** A motion was made by Mr. Spinos and second by Mr. LaMonaca to reappoint Keith Vasas to a four year term on the Planning Commission. (Term would expire December 31, 2022). Roll call vote: Mr. Spinos, yes; Mr. LaMonaca, yes; Mr. Bryan, yes; Mr. Holden, absent; Mr. Ledney, yes; Mr. Mash, absent, and Mr. Pallo, yes. Motion carried.

**Reappoint  
IPMAB** A motion was made by Mr. Spinos and seconded by Mr. LaMonaca to reappoint Ed Metka to the International Property Maintenance Appeals Board to a three year term. (Term would expire December 31, 2021). Roll call vote: Mr. Spinos, yes; Mr. LaMonaca, yes; Mr. Bryan, yes; Mr. Holden, absent; Mr. Ledney, yes; Mr. Mash, absent, and Mr. Pallo, yes. Motion carried.

**Reappoint  
IPMAB** A motion was made by Mr. Spinos and seconded by Mr. LaMonaca to reappoint Richard Wargo to the International Property Maintenance Appeals Board to a three year term. (Term would expire December 31, 2021). Roll call vote: Mr. Spinos, yes; Mr. LaMonaca, yes; Mr. Bryan, yes; Mr. Holden, absent; Mr. Ledney, yes; Mr. Mash, absent, and Mr. Pallo, yes. Motion carried.

**Next  
Meeting** Next Borough Council meeting will be held on January 8, 2019.

**Adjourn** Meeting was adjourned by Council President Mike Bryan at 8:30 p.m.

Respectfully Submitted By:

Robin S. Gates  
Financial Secretary