

Borough Council Regular Meeting July 9, 2019

The regular meeting of Windber Borough Council was called to order by Windber Borough Council President, Mike Bryan at 7:15 p.m.

Pledge of Allegiance.

The following Council Members were present: Mike Bryan, Pete LaMonaca, Dr. Doug Ledney, Joe Pallo, and James Spinos. Mr. Holden was present through telecommunication along with Jim Furmanchik, Borough Manager. Mayor, Mike Thomas and Attorney, Joseph Green was present. Ron Mash was absent.

Approval Minutes A motion was made by Mr. Spinos and seconded by Mr. Pallo to approve the Minutes of June 11, 2019. One absent, Mr. Mash. Motion carried.

Recognition Visitors Jeff Thomas said he is running for District Attorney for Somerset County. He said he grew up here and his family has lived here for generations and are very active in the community. Mr. Thomas said the reason he decided to run for District Attorney is because we all know someone who has been affected by the drug problem we have in our county and we know there are no social economic boundaries. It affects anyone and everyone. He would like to take a harder line with people who are coming into our communities selling drugs, killing people and destroying families to make money. We need to do more, and we can do more.

In addition, Mr. Thomas is a veteran. He would like to see the establishment of a Veteran's Court. Cambria County has an excellent Veteran's Court and he would like to model Somerset off of that for some of these veterans who have come back with unique sets of problems and difficulties. Often times the normal judicial process is not quite equipped to handle the problems these veterans have. Mr. Thomas said he would like to make the system more efficient and save taxpayers money and allow these folks to have their day in court and move on with their lives.

Mr. Thomas said he recently bought a house in Windber and he does not plan on going anywhere and plans on raising his family here. In having said that he does not want to have to worry about his kids getting addicted to heroin, fentanyl or whatever crazy drug they come up with.

Mr. Thomas said with the passing of John Vatauk Windber has no county wide elected official. It is important that Windber continues to have a voice in the county government whether it be through the County Commissioners or any other office. It is important that our suggestions and concerns are routinely hear.

Mr. Thomas thanked council for the opportunity to speak.

Chuck Sturtz Mr. Sturtz said he has raw sewage in his back yard on Jackson Avenue following the flooding. It runs down to the creek right below Jackson Avenue. He wants to know what is going to be done about it. Mr. Bryan said we will be addressing it tonight.

Dave Palko Mr. Palko said he lives on 17th Street and Hillside. Mr. Palko said he is upset that our Borough Manager is not here to address these issues and make sure the jobs are done right. He said we need to worry about putting drainage lines on the other side of the road because it is chewing his yard up. The one pipe comes into his yard underneath to the basin and the front of his yard is starting to sink. Mr. Palko said he knows Jim very well but when something comes up and you have to call him in Ohio and what if you can't get a hold of him. Your out of luck. Why are we paying someone out of state?

Mr. Palko asked if the people on the corner of 17th on the bottom are going to get any help with all that shale and water that went into their basement. Mrs. Gates said we have spoken with them and are working with him and once everyone is finished speaking Mr. Bloom will address all these issues.

Mr. Furmanchik asked Mr. Palko if he resides in the residence directly across 17th Street from Bob Lehman. Mr. Palko said yes. Mr. Furmanchik said then Mr. Palko should be aware that he is the first borough official to address any water problems in that area. The project that was just completed was put in under his initiative. Mr. Palko said he was aware of that and the job was done half assed. He asked why you would fill in around the pipe with spray foam. If that was concrete, it never would have happened.

Mr. Furmanchik said the pipe was installed under direction of our public works foreman. He has been working on sewer and sanitary sewer projects for close to 40 years and I think that proves he is well versed in that type of construction. Other issues lead to that disaster.

Mr. Furmanchik said secondly to answer the question as to why we are paying someone out of state you are probably not aware of the fact the borough is saving approximately \$60,000 in the position we are operating under right now. He said Mr. Palko is the first person that has ever said anything, but he is here to tell him that it is working and it works well. Mr. Furmanchik said if you are familiar with the way technology works in this day in age it is not an unusual circumstance. The wage he is being paid is for 16 hours and he can assure you that he is working at least 25 to 30 hours a week.

Mr. Palko may think he wasn't present Sunday night, but he was first contacted by the police department and the mayor and spent hours on the phone with regards to organization and cleanup. It took a while to get the public works employees out, but he spent the entire day yesterday and the entire day today from 8:30 this morning until up to a half an hour before this meeting dealing with flood issues. He said he can say with a clear conscious he is doing everything he can do other than walk up to the site and look at it and that is what the public works foreman is for.

Anson operates as the Emergency Management Coordinator for the borough and the Codes Enforcement Officer. Mr. Furmanchik said in a disaster or emergency situation the fire chief and the Emergency Management Coordinator are in charge. We have not missed a step at all. If you saw how the command center is set up at the fire station you would be impressed. We can handle any disaster that comes our way.

Mr. Furmanchik told Mr. Palko that he can contact him anytime. Mr. Palko said he has Mr. Furmanchik's number and his wife tried to send him pictures that day. Mr. Furmanchik said he did not receive them.

Mr. Palko said where Mr. Furmanchik lives at he cannot see what is going on. He questioned how long it took the borough to get rid of the shale. Mr. Furmanchik said they were up there that night. Mr. Palko said it was the next day.

Mr. Furmanchik said he got in touch with public works personnel on a Sunday and they gathered the equipment and were sent to the most pressing issues according to the emergency management coordinator. Mr. Palko said as in flooded basements? He knows there was also a tree that fell. He went over to the fire hall and told them what was going on. He we need someone on site. Mr. Furmanchik said that is Mr. Palko's opinion and before he left, alot of people told him they were glad he was still going to be involved. He said in the three and a half years as borough manager there were more things accomplished in our community than in the last 25 years. A lot of those actions were initiated by himself while working with an outstanding council.

Mr. Bryan said when the train derailed, he was in the hotel and they got everyone out and everything ran like a well-oiled machine. All the necessary people were on the line, boots on the ground, Jim on the phone communicating. All the correspondence with Rosebud was on the telephone as was the situation with Mr. Palko. When the storms hit, he received calls from a few residents, and he went down to the community building whom also was having issues because they just put in a \$40,000 floor. Everyone's property is precious to them and he gets that. He said before he went to aide them at the community building, he saw Anson and he told him the places he had that needed assistance and Anson said we have 60 houses and they are on the list and he had to go. Anson was running the show and Mr. Bryan had numerous calls with Mr. Furmanchik and he knew he had dispatched public works and they were on their way. Dave the foremen was on vacation and we pulled him from his vacation, so Windber Borough got attention promptly and he saw that in real time.

Mr. Bryan said he can tell Mr. Palko firsthand from the time they were on the scene and got organized they were on the top of the list that he saw and if he wasn't number one, they were number two. He said it was a tragedy with all this rain that came down so quickly. Mr. Palko said if that ditch was concreted that would have never happened

**Mickey
McConnell**

Mr. McConnell said he lives up on Fern and they have a sever water problem in their alley. It runs down through the yards and it has been there for quite a while. It gets so bad that when you try to mow grass the tractor sinks. There was so much water that came down the alley and they have a drain down at the bottom of the alley and the water crosses over 20 to 30 feet from the drain and the water never goes in. It goes across the alley and down the road and caused all that mess down there.

Mr. McConnell said for years they have had trouble up on Fern with the water backing up in the drains and getting into basements and stuff. He wants to know if the borough can put a ditch or culvert in to take care of that problem.

Mr. McConnell said he did give Mr. Furmanchik a call and let him know what was happening and he was very busy that evening. Mr. Furmanchik said that is right, and we will definitely look into that. He asked Mr. McConnell to give him a phone number and he will have the public works foreman contact him when he gets back from vacation and look at it. Mr. McConnell said his neighbor has pictures of it. Mrs. Gates told him to have his neighbor stop in with the pictures so we can review them. Mr. McConnel said she is here tonight.

Mr. Furmanchik said it has been a busy three days and people are quick to assume it is the responsibility of the municipality and the fact is the system can only absorb so much water and we were operating under extreme conditions. It is not being ignored and the next morning he had EADS Engineering on various sites looking at the most contentious issues and Anson has been doing everything that he can do to make adjustments, so we are doing everything we can do to move into the right direction.

Mr. McConnell said it is definitely a drain problem and he would appreciate anything they can do. Mr. Furmanchik said if Mr. McConnell can get those pictures with the address and contact information to the borough, he will make sure public works looks at the issue. Mr. McConnell said okay.

**Bob
Lehman**

Mr. Lehman said it has been two and a half years since he has been dealing with these issues. He said he had all the dates of when his basement flooded. The last issue was in February when he had four inches of water in his basement and he called the fire company and they came out. It was a little bit of a problem when the water company dug up his sanitary sewer line to fix the water line and then he got water because the water company had taken his sanitary sewer line out.

Mr. Lehman said he and Furmanchik talked to the guy and he agreed he was going to do something up at his house. In the meantime, all he did was bring Roto Rooter out and clean the drains out and put band-aids on it. The next time it rained it flooded his basement out. He said he has better things to do than suck water out of his basement.

Mr. Furmanchik said he knows Mr. Lehman is in a bad position up there. Mr. Lehman said how would you like to look out your window and see 18" corrugated arms coming up out of the ground like Jurassic Park. Not funny!

Mr. Furmanchik said the last time they spoke in front of his property was when the water authority dug in front and did some damage. He said he promised Mr. Lehman that come May or June they would put a pipe in. Mr. Lehman said or if the weather broke.

Mr. Lehman said let's just get the situation straightened out. Your guys can only do with the resources that they have. He said he is a 20-year army veteran with 10 years of army combat engineering. So, he has experience with putting pipes in and worked light construction for 20 years. He said the problem that happened was that they used the foam and the water came and pushed the pipes up out of it and they stamped it down with the truck.

Mr. Lehman said they can only do with the resources the borough gives them to work with. It should have been put down and tamped. He said you don't tamp by running over it with a pickup truck. Mr. Furmanchik agreed. Mr. Lehman said when you tamp with a pickup truck and you turn the wrong way you put big ruts up through his yard. These are his frustrations.

Mr. Lehman said if we get to the point of where the problem is and walk up to the top of the street you have drains that are draining up hill. One pipe goes into the outlet and the other is sticking up in the air and nothing is coming out.

Mr. Lehman said in the Paint Township area you have two drains that are no bigger than this podium. On the opposite side there are no drains until you get way down to the bottom and they are the exact same size. Since then they built a new house up there in Paint Township with a big long driveway that brings water down and on the opposite side of Paint Township people are building a house and that brings water down.

Mr. Lehman said if you walk through Paint Township up there, they're drains are small and they have all kinds of debris in them and other surface runoff overflow of water that comes through your yard.

He said you also have stormwater management that you must abide by through EPA and we talked about this with Paint Township. Under the statute with EPA they must clean them out. It is under the flood control plan, storm management. They are sharing Windber Borough's lines so your kind of responsible for this. If you walk up there, they are full of gravel that is the problem.

Mr. Furmanchik agreed with the fact that there is too much gravel on the Paint Township side. Mr. Lehman said you have drains that are draining up hill. One end of the pipe is going into an outlet and the other end is up in the air and nothing is coming out.

Mr. Furmanchik said he called Paint Township at least 10 times in the past 2 ½ years and told them to please not put anti-skid down on Borough roads and cut down on the amount of anti-skid they put down on Fern and Bud Avenue and every time they say okay. Mr. Lehman asked if they ever clean them out. Mr. Furmanchik said no they don't. Mr. Lehman said they should clean them out every February and March cause when it rains, we do not spread gravel. Under DEP and MS4 and Floodplain they must take care of cleaning them out.

Mr. Lehman asked if the storm drains are taken care of in Windber? Mr. Furmanchik we absolutely do it. Mr. Lehman said if someone blows grass on the street you get fined \$1,000. Mr. Furmanchik said DEP will audit you periodically regarding your MS4 Permit and we were on it probably two years ago and that was one of the first things they talked about was storm drains. The public works foreman maintains the book and keeps track of what storm drains have been cleaned out and replaced and there have been a lot of catch basins replaced in the past three and a half years. People might make light of people blowing grass on the streets but that is something DEP frowns on for two reasons. All the water that goes into the catch basins, empty into the freshwater systems. Mr. Lehman said he just made that statement because peoples basements might be a priority. Mr. Furmanchik said you might not know it but one of the clogs that broke loose in the vicinity of your home was a big clump of grass. DEP doesn't want to see is the chemicals on the grass and the issues with animal deposits on the grass. Mr. Lehman said he understood that is a part of the MS4.

Mr. Lehman said he made his point and he lastly wants to say there should be an emergency number. Mr. Spinosa was the first to respond and he found out on Facebook. Mr. Lehman said the borough's people can only do what they can with the resources they have.

**Korina &
Todd
Weaver**

Mrs. Weaver said they also live on Fern Avenue and there is a big issue up there. She said she has been talking to Paint Township for several years. Before Lou Clark resigned, they were supposed to put another storm drain in behind their property.

They are in the middle of the street we have a storm drain in the front and in the back. Both sides come down to her property and they have been flooded three times up there and they have a finished basement. She said sympathizes with everyone, it is bad. They do not have flood insurance and they sucked it up and cut out drywall and whatever.

Mrs. Weaver said she called Paint Township last week, last Friday and this past Friday. So she called them two Fridays in a row during major storms and asked them to come up and take a look. They were supposed to come up two or three years ago and suck out the stones from the storm drains on Bud and Fern and they did not do it.

Lou Clark did come down and look and agreed with us, but the problem is there is a drain in the middle of the property and in the middle of the street and a drain on 17th Street. The drain on 17th Street does not get a drop of water. The water itself is halfway across the alley in the back of her house and the back of Charlottes house.

Mrs. Weaver said the water comes from up above. Those drains are blocked. Scott Pearson who lives at the end of her street talked to Paint Township because he has gravel all across his property. There are three drains above him and none of the water is going into those drains. She said she has a video of the water coming across the street on Fern and video of the alley and the pond back there.

Mrs. Weaver asked if the borough can get a hold of someone in Paint Township because they are not answering her. She said the alley is the borough/township line she doesn't know who oversees it. She said they didn't pave the alley when they were supposed to, they put gravel in and they did not put a slope in, into the drain. She said that is where a lot of the water is coming from.

Mrs. Weaver said if you can help, they would appreciate it and she does have pictures. Mrs. Gates said they would like to have those pictures. We are compiling information and pictures on the flooding.

Mr. Furmanchik said he was on the phone with Dave Zeglin and he is the Chairman of the Paint Township Supervisors regarding the other end of town and he promises he will get on the phone and get him to get his people up there and clean out those basins. He said the line is the alley behind Baumgardner Avenue that runs parallel to Baumgardner. Everything on top of the hill towards the auction barn is Paint Township.

Mrs. Weaver said but where in the alley is the line. There is an issue back there so whose problem is it. Mr. Furmanchik said he will check her address tomorrow and get back to her. She said she did call and leave a message for Mr. Zeglin last Friday and has not returned her call.

**Anson
Bloom**

Mr. Bloom said in being the person that responds to 90% of the incidents in the borough he has the advantage of seeing things as they are happening but also the unfortunate pleasure of dealing with the aftermath. In the last couple of days between the train derailment and the flooding he has been all over the borough. He spoke with Vinnie Paczek from EADS and he agrees with most of everything that he has laid out.

Mr. Bloom went through various photographs with council with regards to the flooding.

1. Community Building: the way the train cars derailed, the fence and the large tree were removed which created that natural V to where all the water runs into the corner of the community building. You can still see the residual runoff in the photo. He spoke to Lionel Berkebile this afternoon and we came up with an idea of a two-stage retaining wall. The first layer will come down and a stack system behind it will divert the water to run into grass behind the playground so that it is not running into the mulch and washing it away and not running into the community building.

The second thing is there is a tall tree that is still standing and two or three past that, that are dead. The ground is soft, and they need to be taken down before they fall down during another rain event.

2. Bio-duct: The first picture is a picture of the Bio-duct. Most of what Mr. Bloom was told after coordinating with the National Weather Service is that we had 5" of rain in about a four-hour period. No matter what provision you put into play that amount of water is just unheard of. It was like one of the 100-year storms so to speak.

In the picture you can see the water levels in the bio-duct are parallel with the cement on East 17th Street. He said he had not seen water in this area like that since 1996. He said out of all the projects we can do this will be the greatest undertaking because there are a lot of things that must happen. There is a lot of residual sediment build up in there and a lot of things need to be cleaned out that will resolve some of that issue.

3. API: Everything is running off the hills in both directions and there is nowhere for it to go. The bridge over at API is about 14 to 16 feet and it is parallel to that. You are talking about massive amounts of water that has no where to go. If you see in the picture down behind the stadium it took out that walking bridge, and it left a wall of debris about 4 feet high as it rode the fence.
4. Jackson Avenue: Being on Jackson Avenue there was a big issue of sewage and there is also some stormwater drainage issues. If you look at the first picture, to him that drain is not adequate enough. He spoke to the residents and has been at that house several times and the problem that night was that the water was over the outlet. There was just no where for it to go. If we make a couple of small provisions, it should handle a significant rainfall when we are dealing with an inch to 2 inches of rain and not the five inches. No matter what we do, with five inches we will be under the gun. If we start making some small provisions like vaulting this drain so its deeper and handles everything. That point right there it seems that everything runs throughout the hillside and down past Mr. Sturtz's house.

If you go to the next picture by the stop sign and then the picture behind it that basin is full of rocks. The next picture shows the drains to the left of the road and it only has a six-inch PVC pipe. Vinnie and he were talking today and that is probably the lowest point in town we always have flooding calls too whether it is an inch of rain or 2 inches of rain. This is where you start along with 17th Street and Baumgardner which has significant issues up there.

5. Baumgardner Heights: There are multiple issues up there. Either the drains are sitting on the road and the water runs around it or it has a small 6" pipe. On the picture if you go to the drain with the new vault and cone on it, the drain corresponding to the left of it, the road is kind of uneven and the water is just bouncing off it and in the next picture you see where the water is coming up through. There could be a significant pipe issue there.

The next picture after that you can see the drain and how the water runs around the drain. On the other side of that you can see how that house has a natural spring there that is always running so it drains into there and it is always clogged shut. We cannot find where the water is coming out. That is probably where some of your undermining issues are coming from.

The third picture you can see how it seeped up through the road and that is believed to be a pipe issue.

6. Paint Township: In Paint Township you can see how those drains are overgrown and not being taken care of. Mr. Bloom said he believes it is a two-part problem that with some excavating and fixing drains, up there, and putting a deeper vault. This also has to be done on the part of Paint Township because this is how their drains are.

Mr. Bloom said with that amount of rain you are not going to be able to do anything with it but you can make a significant amount of improvements for a standard rainfall. He feels it would be a low budget impact. We have the equipment and the means to do it. It's a start to make an improvement.

29th Street and Jackson Avenue: You can see in the pictures where there is natural runoff there are no catch basins off the development. So, as they build and change elevation and their driving pitch, it is all pouring down onto 29th Street. Paint Township needs to address that problem.

Mr. Bloom said he spoke with Phil Petrunak and showed him some areas where he could make some improvements and he was agreeable to it. It would be some excavation work, cleaning out the basin that is blocked and dishing the road instead of banking it. He was agreeable to that and it would alleviate some of the problems on that side.

The bio-duct Mr. Bloom said he knows involves DEP and all that, but the overgrowth is the problem right there because the release valves are open, and they are not closing because they are caught on shrubs. The system is taking in water and dumping it where their supposed to, but it is also back feeding because the relief valves are not closing.

Mr. Furmanchik said he spoke to Dave Zeglin, Paint Township Supervisor today with regards to the issue of runoff on Ramblin Hills Road. When you remove vegetation from the land it speeds or accelerates the amount of water flow. There is a good bit of that happening up there right now. Mr. Zeglin said he would do everything he could to work in that direction along with some raw sewage issues emitting from that area. We had some problems with that last year and it was addressed. They were originally in contract with a local excavating company and have since parted ways and are in a relationship with Laurel Management. A lot of what happened before left when Lou Clark resigned.

Mr. Furmanchik said what he sees of the catch basins at Baumgardner it is deplorable. He told Mr. Lehman it is not the neatest job there and he will have the guys tidy that up first thing tomorrow. Mr. Lehman asked that they use cold patch or something, so it doesn't happen again. Mr. Furmanchik said he will move in a quicker fashion and get that road paved.

Mr. Furmanchik said that Vinnie Paczek will not be able to come here tonight because he has a family emergency. He did want to pass on that he agreed with a lot of the things Anson spoke about and he could have EADs look into the hydraulic issues of the problem areas if council would like to proceed in that fashion. He also wanted to pass on that 60% of the mapping for the asset management plan is completed. Council agreed to move forward.

Council convened to an executive session at 7:58 p.m. for personnel matters.

Council reconvened from an executive session at 8:15 p.m.

Correspondence

1. Codes Enforcement Officer Report and Certifications
2. Windber Area Authority Minutes of May 8, 2019
3. Windber Municipal Authorities Report of May 21, 2019
4. 2018 Annual Audit Report of Windber Borough Municipal Authority.

Approval Payroll

A motion was made by Mr. LaMonaca and seconded by Mr. Bryan to approve payroll for June 7 & 21 and July 5, 2019. One absent, Mr. Mash. Motion carried.

Approval Bills

A motion was made by Mr. LaMonaca and seconded by Mr. Bryan to approve bills for June 2019. One absent, Mr. Mash. Motion carried.

Cash Bal./ Treasurer Report

There were no questions at this time.

Council Liaison Reports

There were no reports at this time.

Mayor's Report

Mayor Thomas said he attended the state PSAB conference in Hershey. He had the opportunity to participate in a "Boot Camp for newly elected borough officials". The class covered various subjects, with emphasis on items that are important for all elected officials to know. He also attended several sessions dealing with problems facing boroughs today. A trip to the capital in Harrisburg provided the opportunity to meet with our local representatives. Rep. Jim Rigby, from Ferndale, was especially helpful. He also had the opportunity to meet with Carl Metzgar Walker, and Senator Pat Stefano. The conference wrapped up with members voting on issues that are important to all boroughs. These issues will be put on the forefront of the lobbying efforts of the PSAB.

Mayor Thomas also participated in the miner's weekend opening ceremonies and parade, along with the local reps and county commissioners we all gave brief opening remarks.

Regarding the train derailment, I was involved in setting up the command center at the Windber fire station. The incident command center worked well with everyone doing their part, regarding notification of various persons under their command, and making notification to any entity that would play a role in the recovery. He was on scene until approximately 2 a.m. that morning, knowing the situation was stable. I returned at 6 a.m. that morning to monitor the cleanup process. While on this subject, perhaps we should set up a phone tree, so that all of council is notified in the event of any other major incident

Once again on Sunday, July 7th the command center was opened to deal with the flooding in town. We stayed into the night until all calls for flooding were handled.

On Monday morning myself, Anson Bloom and Fire Chief Haddad did a follow up evaluation of all the areas affected by the flooding. We also looked at an alternative route for emergency vehicles needing to access the upper end of 17th St. if the street becomes inaccessible due to a train derailment. The easiest and least costly way would be to access the levee from the 18th St. side of Somerset Ave. There would be a minimal cost of cutting the brush on the top and outer side of the levee and getting Dave Petrunak to cooperate by not blocking access to the levee.

Mr. Bloom said with 17th Street being impacted and having had two train derailments we try to plan for situations like that. If you access along the back of the Petrunak lot, there is a natural road there. All we're talking about is having a brush hog come in and cut down the high grass there and laying some 2B shell which would be enough to get light vehicles back through there. Mr. Furmanchik said in an emergency situation you have to do what you have too.

Manager's Report

2019 Street Paving - I am expecting to see road resurfacing take place at the end of July

Windber Area Economic Development Committee - As you may or may not know, the WAEDC account is handled through the Borough off ice. At their June meeting, the WAEDC moved to open a Municipal Money Market account with Somerset Trust. This has an annual premium yield (APY) of 2.22%. As Treasurer of the WAEDC, Robin will be one of the names that appears on the signature card. There will be further discussion on this topic at the July meeting.

Flood Mitigation Grant - I have asked the offices of our State Senator and State Representative to consider meeting with the Borough engineer and discuss the project and possibly offer a little assistance in obtaining the grant funding.

CDBG Project - The rehabilitation project, for 412 5th Street has begun, as of June 24th., and is going well.

Ballroom Construction Project - The ADA compliant restroom and access ramp have been completed and are now in service.

Conference Call with Police Department - I arranged a time when we can discuss issues regarding staffing, equipment, vehicles, progress and issues of concern.

I, Chief Frear, Mayor Thomas, President Bryan and Mrs. Gates participated. It took place on June 27th @ 10:00 a.m.

Tax Forgiveness - The County and School District have all agreed with Council's decision to forgive the taxes owed for 1407 Midway Avenue for the year 2018. This is a savings to the Borough of \$1,577.72. Thanks to all for your consideration.

Safety Issue with Sanitary Sewer Manhole –At our June meeting, Mr. Allen Higbee raised a concern, in this regard, at the rear of his property. The problem was resolved by lowering the body of the manhole within less than a week after the complaint was lodged.

Train Derailment - Thank you to all that were involved in this recovery effort. I was extensively involved remotely and continue to work to closure for final goals.

Property Damage from Train Derailment - I have reached an agreement with Rosebud Mining regarding repairs to properties. All repairs will be made by the contractor of our choice and will be completed much sooner than having to wait for insurance adjustors. They will be given one prepared estimate for each repair, to make sure that they are not being taken advantage of. Anson will handle the issues with the Fire Department property, and I will handle all of the others. Rosebud also was agreeable to reimbursing Carlyns and the Windber Hotel for monies lost from evacuation.

Safety Issue at Recreation Park – I have authorized the removal of a dead tree in very close proximity of the Sequoia Pavilion. The removal will take place soon with the cost being \$400. The WMA will cover half of the invoice.

Graham Avenue Car Wash – The property has been purchased by an individual from Bedford County, who apparently owns other car wash facilities. Robin has advised him that he is now responsible for all property maintenance issues.

Workman's Compensation – Watson Insurance will soon take over this coverage at a \$15,000 a year savings. We will look at other avenues to save money on our insurance coverage.

EADs/Flooding – Mr. Furmanchik has been working with Vinnie from the EADs Group with regards to the runoff in Jackson, Hillside and Baumgardner. Would council like us to continue to move forward with an assessment from EADS. EADS can prepare a cost for all the areas we addressed, and they are pretty much the same areas that Anson spoke of. In some of those situations it may be more involved than what you might think so do you want EADS to move forward and give you a cost estimate on all those repairs or sit on it and try to do it all through public works.

Mr. Bryan said his opinion is there have been some long-standing issues and with respect to EADS and having a professional engineering company render an opinion, he would be very comfortable with that. Dr. Ledney also agreed.

Mr. Furmanchik said there would be a cost involved and we need to understand what it will cost.

A motion was made by Mr. Bryan and seconded by Mr. LaMonaca to have EAD's Engineering precede with giving us a cost assessment of the items and issues brought to our attention from the public and Mr. Bloom and move forward with that. One absent, Mr. Mash, motion carried.

24th & 22nd Street Bridge Replacement – we are to the point where we can choose a project engineering firm. Mr. Furmanchik and President Bryan have been included in an email which is basically an excel worksheet which shows (SOI's) or Specialists of Interests from 12 engineering firms. We need to complete those excel worksheets by the end of July and provide them to our PennDot Representative in Harrisburg.

Mr. Furmanchik said he sent Mr. Bryan a copy of the worksheet that he prepared this evening by email. He asked him to review that and they would discuss it. The PennDOT representative today reminded him how important our input is regarding the engineering firm that will be chosen.

Mr. Furmanchik's said as a reminder the 24th Street Bridge Project is 1.5 million dollars and the 22nd Street Project \$200,000 project and there are 5% matches on that \$9,000 for 22nd Street and \$75,000 for the 24th Street Bridge Project. The way the matches work with PennDot is that is it is basically a pay as you go phase. There is a possibility by the end of the year they maybe asking for a partial payment towards some of the matching funds.

Mrs. Gates reminded Mr. Furmanchik that Mr. Spinos because he was supposed to be part of the team to review those engineering applications. Mr. Furmanchik said Kelly Donahue from PennDot sent those emails and the only names on them were Mike Bryan and himself. Mr. Bryan said he will forward those emails to Mr. Spinos. Mr. Spinos said he was fine with Mr. Furmanchik and Mr. Bryan reviewing the applications.

Pickleball Court – Mr. Rugg will be contacting Mr. Furmanchik either Wednesday or Thursday for us to order the material. That will save us money because we will not have to pay taxes on it.

New Shed – The new shed is now in place at the public works garage.

Rileighs Invoice – Mr. Furmanchik said we have a bill that needs to be paid from Rileighs Outdoor Décor for new Christmas Street Decorations. A while back we gave permission to Dan Hiteshew to have a fundraiser to pay for the new decorations. Dan got tied up with moving his business from 15th Street to Graham Avenue and that bill has to be paid. The amount is \$6,045.69 and would have to be paid from the Capital Improvement Fund. Just as a matter of comfort Dan is in the midst of planning the fundraisers to recoup or reimburse the borough for those monies. Mr. Bryan said the last time he had a fundraiser he more than covered it.

A motion was made by Mr. Bryan and seconded by Mr. LaMonaca to approve payment to Rileighs Outdoor Décor in the amount of \$6,045.69 from the Capital Improvement Fund, with the understanding that fundraising reimbursement will follow. Roll call vote: Mr. Bryan, yes; Mr. LaMonaca, yes; Mr. Holden, yes; Dr. Ledney, yes; Mr. Mash, absent; Mr. Pallo, yes; and Mr. Spinos, yes. Motion carried.

CDBG 2019 Funding – The amount of our funding for 2019 is \$91,656.00 and as you are all aware these are for projects in low income areas. We are in a wait to see mode to see if we can use some of those funds to address stormwater issues.

Solicitor's Report

The appeal that was in the Superior Court that was heard in December of last year he received an opinion on. That was for Philip Chippie codes violation and we prevailed. The Somerset County Court found him guilty of a codes violation and fined him \$250 and he took it up to the Superior Court.

Approval Money Market

A motion was made by Mr. Bryan and seconded by Mr. LaMonaca to approve to move the Economic Development Committee Fund monies from First Commonwealth to a Municipal Money Market Account with Somerset Trust Company. Roll call vote: Mr. Bryan, yes; Mr. LaMonaca, yes; Mr. Holden, yes; Dr. Ledney, yes; Mr. Mash, absent; Mr. Pallo, yes; and Mr. Spinos, yes. Motion carried.

Next Meeting

Next meeting will be August 13, 2019 at 7:00 p.m.

Adjourn Meeting

Meeting was adjourned by council president, Mike Bryan at 8:50 p.m.

Respectfully Submitted By:

Robin S. Gates
Administrative Assistant