

**Borough Council Regular Meeting
August 10, 2021**

The regular meeting of Windber Borough Council was called to order by Windber Borough Council President, Michael Bryan at 7:00 p.m.

Pledge of Allegiance.

The following Council Members were present: Mike Bryan, John Holden, Dr. Doug Ledney, Timothy Layton, and Joe Pallo. Jim Spinos and Ron Mash were absent. Attorney, Joe Green was present. James Furmanchik, Borough Manager was present through telecommunications. Mayor Thomas was absent.

Approval Minutes A motion was made by Mr. Holden and seconded by Mr. Pallo to approve the Minutes of July 13, 2021. Two absent, Mr. Mash and Mr. Spinos. Motion carried.

Visitors Jessica Brehm, President of the Windber Competition Cheerleaders said they do a lot of fundraising throughout the year due to the girls competing in national competitions.

Jessica Brehm Jessica said they are currently planning on going to Orlando Florida for a national competition that will be on ESPN/Worldwide World of Sports.

Jessica said they will also be using the proceeds from their fundraisers to purchase new uniforms for the team.

Jessica said as a fundraising idea they would like to put together a scavenger hunt through Windber. They would follow all borough rules. A list would be distributed of photos of an object or place and each photo would be worth so many points. Those participating would have to find the object and take a picture of themselves with that object.

They would meet at the park and distribute the lists and the participants would have to return the list by a certain time. Cash prizes would then be given to those who would have found the most objects.

Mr. Bloom said there are no provisions with regards to covid unless you hit the 500 people mark. Jessica said she was thinking about holding the scavenger hunt over the holidays. It would cost about approximately \$20 per team of two people to enter and if people would dress up, they would receive extra points.

Council approved the event and Jessica said she would keep in touch with Mrs. Gates and inform her on the date in which the event will take place. Jessica thanked council

Correspondence

1. Minutes from the Windber Area Authority June 9, 2021, Meeting.
2. Minutes of the Somerset County Redevelopment Meeting July 13, 2021.

Approval Bills A motion was made by Mr. Pallo and seconded by Mr. Holden to approve the bills for July 2021. Two absent, Mr. Mash and Mr. Spinos. Motion carried.

**Approval
Payroll**

A motion was made by Dr. Ledney and seconded by Mr. Bryan to approve payroll for July 16 and 30, 2021. Two absent, Mr. Mash and Mr. Spinos. Motion carried.

Discussion

Mr. Bryan said he would like us to begin creating a priorities list for the American Rescue Plan act monies.

Mr. Furmanchik said there was an email that came out that guided us to two websites. We went to them, and it didn't really tell us anything we did not already know. It did include an email address that you could pose a question to. He vaguely asked them if the money can be used for capital improvement, and we received no answer back. He then spoke to Congressman Joyce's aid, and he didn't have any answers for him either and told him to put his questions in the form of an email and he will get back to him. As of today, he has not heard anything from him.

Mr. Furmanchik said he had a discussion with the interim city Manager, Dan Penatzer and they agreed we have to get creative, and we know storm and sewer are definitely on the list. Money towards emergency response vehicles is also okay.

Mr. Furmanchik said he talked to the public works foreman about paving some alleys. They would not be done in the fashion that you pave a road but prepared to a level you can put a base down.

Dan Penatzer told Mr. Furmanchik they are in a working relationship with Wessel Accounting. Mr. Penatzer said they turned theirs over to Wessel and when they want to accomplish a goal or tackle a project they would turn to Wessel for approval.

Mr. Furmanchik said Robin has been talking to Kim from Kotzan's to have them look at our numbers regarding lost revenue. If you remember last year at the end of our budget, we were just under a \$50,000 loss. We could use some of that recouped revenue we lost.

Mr. Furmanchik said he likes the thought of tackling some alleys. We could pick out the alleys with the highest need and put them out for bid. He asked all department heads to turn in a wish list and once he gets those, he will forward them to council.

Mr. Holden said in his mind public safety is first, emergency management, fire department, public works, and the library. After the discussions we had over the past two days regarding the ballroom upgrades; recreation, tech, travel, and tourism is on his list. Mr. Holden said he mentioned it today to Tom Harley and he said anything that is not covered by the RACP Grant could most certainly be covered by the stimulus money.

Mr. Holden said just by the discussion we had today the list of items that may not be covered by the full bid because of the cost of the repairs is growing. We need to look long and hard at a phase two of the project and upkeep and a maintenance budget for the ballroom. Dr. Ledney agreed, if you do not take care of it, you will be back looking for another million dollars.

Mr. Holden said additional parking will not be covered by the grant. Dave and he looked at it today and he still feels the best spot would be where the old borough manager's house is. It has a sidewalk and natural egress access and near the ballroom.

It will not disrupt the ambiance. You would put 2B stone in there. Again, that is not covered by the grant.

Mr. Furmanchik said that is all soft costs there. He said there were a lot of things being thrown around last night like signs etc. When he read the minutes from the last meeting there was a lot of talk about a retention pond. There is no need for a retention pond up there because when the park was first rehabilitated, and the pool was brought back up to operation and the roads were paved at that point in time there was storm water management put in place. There are three catch basins within the park with the closest being in the proximity of the back of the ballroom.

Mr. Furmanchik's opinion, you must go with a 2B surface, if you put down a hard surface like asphalt you have asphalt forever. It is in a shady environment so it is never really going to dry out so the freeze/thaw cycle will take place on it. You may find yourself ten years from now having to resurface it. If using a hard surface, then stormwater management comes into play and your cost escalates. A pipe laying project can be 20 to 40 dollars per lineal foot.

Mr. Furmanchik said his vision is different from Mr. Holdens. Where he visualizes the parking to be is right out the front door. There is a green area across the road where there is a small pavilion. You could take probably everything from 30 feet to that pavilion. This is in a more concealed fashion and larger and would be a benefit for any event in the park. You could prepare that for stone and be on your way. Ultimately it will be council's decision.

Mr. Furmanchik said right now we must concentrate on having the building built. We are hoping it doesn't come in over a million dollars. Every time we have a conversation with the engineer or architect his mind is always reeling because of the cost. If it comes in under a million, we can easily add to that, but it would be hard to subtract.

Mr. Bryan said these are things we will have to decide. He liked what Mr. Holden said about public safety, public works, recreation and tourism, the library, fire and police. The alley paving would be nice too. Think about how you would rate them on the wish list. Plus, the departments will be turning in their lists.

Mr. Bryan brought up the working relationship with the Municipal Authority. He feels like we are not on good terms with them and would like to be on better terms. These are relationships that could be better. Is there a way we can add them to this list? We share the space we have with them, and we want to promote recreation in our community. We need to consider any olive branch or handshake that we can. They are losing the ballroom that they have there for years.

Mr. Grohal has brought up reestablishing where the skate park is and moving the skate park to another place in the park to utilize that black top space for day camp by putting a heavy-duty tent there on it. However, he could not cover all the equipment to move all of it. There are also sensitivities with the skate park being donated by the Dog Run.

Mr. Bloom said if you take a tent for more than 30 days and use it for a day camp there are all kinds of code requirements that will be involved. He would be better off building another pavilion with sides.

Mr. Holden said another thing that came up today was Albert Ghantous from Elias Painting said this park is a diamond. There are other similar facilities in the area that have fallen in disrepair and closed. We need to do what we need to do maintain it. We need to work together with the municipal authority.

Another thing the paint advisor brought up today was the other buildings like the pool house and changing areas should be painted with the same theme as the ballroom, so it becomes one big event facility.

Mr. Bryan said he told Mr. Grohal we need to partnership together and investigate some new ideas. Mrs. Gates said we need Mr. Grohal to get some estimates on the cost of a building or pavilion with sides and we can see what we have. Mr. Pallo agreed. Mrs. Gates said it is hard to look at a list without an amount attached.

Mr. Bryan said we now have our consultant for the RACP Grant his name is Nick Borza and Mr. Furmanchik put in for him and we were able to obtain him as our consultant.

Mr. Bryan said there were three ways of going about this final schematic drawing before going out to bid.

1. Value engineer items (wish list) if we don't want them to take them out.
2. Alternate diductor to add to the base bid which is a similar type of concept of items that you either add in or deduct out based upon the cost.
3. We are well ahead and in a good situation in respect to have made decision on things like lighting and HVAC.

Brett Yonish talked about the structure looking very good Mr. Bryan said. This was a good sign as to what we were getting into as far as whether these trusses were going to hold etc. Brett was very excited about that. Construction is going to be costly because the bids are going to come in high with pandemic prices.

Mr. Bryan thanked Mr. Furmanchik for fielding all these calls and working this project. Travis Hutzell is finalizing some other things, but we are close to being all buttoned up.

Mr. Furmanchik said regarding rental fees Richland Fire Hall gets around \$3,500 and the Barn in Ligonier said it is \$4,000 a day and everything else was extra. This will give us an idea of what we are looking at. Mr. Furmanchik said his idea for the ballroom is to host premier events, weddings or a formal event for Somerset and Cambria County. Mr. Pallo said the Hayloft in Rockwood is \$3,250 plus the \$250 nonrefundable booking fee.

Mr. Furmanchik said during one of his conversations with the architect he asked Mr. Furmanchik if he was familiar with the ballroom floor, and he said yes. The architect said if you noticed you have people on it at the same time you can feel the movement of the floor. He said he is 99% sure the floor is what they termed back in the day as a spring floor. All the old dance floors and ballrooms were designed in that fashion. So, the floor may not be as bad as we think it is because it was engineered that way.

**Route 56/
160**

Mr. Bryan said he got in touch with Metzgar and Stefano and has the official reports from PennDot. He has a copy for us, and a copy will be given to Mr. Kiss and anyone else that would like to have one. Mr. Bloom said he would drop one off to Mr. Kiss.

Mr. Bryan said these are dated March 5, 2021, and October 2, 2017, when the first one was done. Essentially what was asked for in the engineering study was reducing the speed limit between 12th and 24th Street. The study and the proper determination from the engineers were that the review and analysis, crash data geometry site distance, roadside development and construction and determination of the 85th percentile and safe running speeds was that 55 mph is appropriate. They will be putting up a larger speed limit sign. They are now 24 x 30 and will be 30 x 36.

The other report was with regards to the jake brakes and retarders and that was answered back in 2017. The recommendation at that time based upon wanting retarders that was published in the traffic engineering manual that was published in 2012, was the criteria needed to be filled and if you miss one of them you cannot have retarders there. Because of the posted speed of 55 mph, you can not have a brake retarder sign put up there.

Mr. Furmanchik said he read the minutes from the last meeting he was completely frustrated from the whole situation and wished he would've been there. Regarding the letters they are responses to requests initiated by himself to the district 9 office.

Just to clarify, in the minutes Mr. Kiss said this all fell apart when the two traffic engineers who had attended the meeting one retired and one moved to another position. That has nothing to do with it. Jim Hughes did retire, and Tony moved into a management position as the director of maintenance in another location.

Mr. Furmanchik said the meeting with the two traffic engineers took place on June 26th and there were four items being addressed that day. First one was for consideration of a hidden driveway sign in the proximity of 190 Pomroys Drive. Mr. Furmanchik said he wrote the letter for the request Mr. Kiss asked for and submitted it and it was granted in the form of a letter. we bought the sign and public works erected it.

The second request was consideration of closing the median on Route 56 at Hillside Avenue, and 19th Street exit which was also requested by Mr. Kiss. Letter generated by Mr. Furmanchik, and it has been granted and his impression is that it will be done this construction season.

Another request was for engine brake retarder restriction on Railroad Street. Again Mr. Furmanchik wrote the letter, and it was also granted. It passed the survey, and the signs were placed.

The final request was to have the speed limit reduced on Route 56 from 12th Street to 24th Street. Request made by Mr. Kiss. Mr. Furmanchik generated the letter and around March 4th, he called Mr. Kiss and told him we would not be lowering the speed limit. The issue is if the speed limit is below 55 mph it gives it more teeth regarding engine brake retarder survey. Anything 55 mph. and above automatically gets thrown out. When he told the news to Mr. Kiss, he said the police department needs to get decibel meters and do decibel checks now.

Mr. Furmanchik said they had also contacted Stefano and Langerholm and were told that none of their demands were warranted. He said the long and short of it is the next time Mr. Kiss

comes in he is going to tell him that this community, you, I, we have gone above and beyond in backing him.

Everything ended in the same fashion except the enforcement of engine brake retarders. We cannot do anything more. Mr. Bryan said he understands that but if he shows up at a meeting, he will still get his five minutes.

**Cash Bal./
Treasure
Report** There were no questions currently.

Council Liaison Reports

**Mayor's
Report** Mrs. Gates read a note from Mayor Thomas as follows: Members of council as most of you know I underwent back surgery last week. The surgery was successful, and I am slowly recuperating. It is in my mind slow but I guess I do not have a say in it. I wanted to let council know that as soon as I recover, I will be back working for Windber Borough. Thank you, Mayor Mike Thomas.

**Manager's
Report** **17th Street Storm Water Project** – Invitations for bids began on July 19th and were accepted by the Redevelopment Authority of Somerset County until August 3rd. A pre-bid meeting was held at our office on July 27th. Late in the afternoon, on August 3rd, it was announced that M&B Services, from Clarion, PA, was the successful bidder at \$196,989.92. EADS will now review line items in their bid documents to make sure everything is correct. We expect the project to be completed, by year's end.

USDA Grant – Eli Bratich, from USDA, has informed me that these “additional funds” are expected to be released next month.

22nd Street Bridge –At this point, I am still awaiting a meeting to be scheduled by PennDot to help clarify the situation with the Pennsylvania Historical and Museum Commission and its historical status, regarding the structure

Ballroom Rehabilitation – I continue to work closely with the project engineer and lead architect. I recently spoke with RACP representative, Holli Reidlinger and asked to expedite our situation since we have everything in place.

Since you have already reviewed the architect's and engineer's tentative schedule, please keep in mind that it is exactly that...tentative. Also be cognizant of the fact that we have an agreement with the WMA that stated that we do not take control of the Ballroom until November 1st.

DEP MS4 Inspection – A random permit inspection took place on August 3rd. DEP representative Lisa Milsop conducted the inspection/review. I was pleased with the outcome, after the inspection she stated that we well exceeded any other community, that she has inspected. Our MS4 program certainly has come a long way and we can be proud of that.

Windber Works – This is the operations name for the WAEDC's marketing initiative, for our community. The program continues to move along at a brisk pace, that is sure to impress.

I encourage Council members to become involved, by enlisting as a volunteer, through the social media platform known as Circle.

If you need assistance, in doing so, please reach out to Dr. Ledney. The Windber Works project manager will provide background and further information at a Council meeting soon.

Web Cam – Keith Barclay has agreed to donate the camera and installation fees, for a webcam, that will be mounted on the roof of Mimo’s Restaurant. It will offer views of Miner’s Park, Graham Avenue and the Gazebo while revealing live coverage, at any time, from the Windber Works website.

SRO – Jeff Brock will be on the agenda for approval, at our upcoming meeting, and Chief Frear will elaborate on the matter.

Recycling – I was approached by Somerset County Recycling Coordinator Erin Walker about a possible recycling station in Windber Borough that would be subsidized by the County. This area would be 20’x30’ and offer an enclosed gated area. Residents would be able to purchase a fob to unlock the gate for \$25/year.

When we had the recycling station in the Community Building parking lot it served as a huge eyesore for the community. We can have further discussion at our August meeting.

After council discussion it was decided to forego the recycling due to the past mishaps and there being a recycling center in Richland.

Video Conduit Inspections -As required by the Army Corp of Engineers and DEP, a pipe Camera was used to inspect the Levee piping system on July 28th and 30th. After the films are documented, they will be turned over to the proper authorities for review. Remember that we have previously received grant funding, in the amount of \$3,500, to aid in covering the cost associated with this undertaking.

ARPA – I have asked all department heads to submit a “wish list” for needs that may qualify through the rescue plan. once all those lists are submitted, Robin will make sure that they get to your possession. I encourage Council to plan for priorities, to be considered in the future.

Meeting with Congressman John Joyce – On August 3rd Congressman John Joyce met with WAEDC President John Venzon, Council President, Bryan, Robin and me. WAEDC member and Somerset Trust Economic Development officer, Josh Miller, gave a presentation outlining the WAEDC’s current marketing program that is now known as Windber Works. Congressman Joyce is impressed with our efforts and offers his total support, with the program.

Blight Remediation Grant – The initiating documents have been signed by President Bryan and Vice- President Spinos. The DCED contract is currently in the hands of the Office of the Attorney General, for review. As many others do, this grant award operates on the reimbursement process, which will require pay requests being prepared by our administrative assistant.

**Solicitor’s
Report**

No report

Codes Report Mr. Bloom said there was nothing out of the norm on his report other than 1815 Graham Avenue property owner was unable to be contacted so the grass was cut down by a grass mowing company at a cost of \$200 which was added to his citation.

Council convened to an executive session for personnel matters at 8:15 p.m.

Mr. Spinos arrived at 8:20 p.m.

Council reconvened from executive session at 8:30 p.m.

Approval PT Officer A motion was made by Dr. Ledney and seconded by Mr. Pallo to approve Jeff Brock as a part-time officer for Windber Borough Police Department and School Resource Officer for Windber Area School District. One absent, Mr. Mash, motion carried.

MMO Non-Uniform A motion was made by Mr. Bryan and seconded by Mr. Holden to approve the (MMO) Municipal Obligation Budget for 2022 for the Non-Uniform Pension Plan in the amount of \$25,600. Roll call vote: Mr. Bryan, yes; Mr. Holden, yes; Mr. Layton, yes; Dr. Ledney, yes; Mr. Mash, absent; Mr. Pallo yes, and Mr. Spinos, yes. Motion carried.

MMO Police A motion was made by Mr. Bryan and seconded by Mr. Holden to approve the (MMO) for Minimum Municipal Obligation Budget for 2022 for the Police Pension Plan in the amount of \$64,799. Roll call vote: Mr. Bryan, yes; Mr. Holden, yes; Mr. Layton, yes; Dr. Ledney, yes; Mr. Mash, absent; Mr. Pallo yes, and Mr. Spinos, yes. Motion carried.

Approval SRO Agreement A motion was made by Mr. Holden and seconded by Dr. Ledney to approve the SRO Agreement for the 2021-2022 school year. One absent, Mr. Mash, motion carried.

Next Meeting Next meeting will be September 14, 2021, at 7:00 p.m.

Adjourn Meeting adjourned by Council President, Mike Bryan at 8:40 p.m.

Respectfully Submitted By:

Robin S. Gates
Administrative Assistant

