

**Borough of Windber Council Meeting
Minutes of February 13, 2023
Windber Grand Ballroom
7 p.m.**

The regular meeting of Windber Borough Council was called to order by Council President John Holden at 7:05 p.m.

Pledge of Allegiance.

The following council members were present: John Holden, Pete LaMonaca, Dr. Doug Ledney, Ron Mash, Joe Pallo, and Rich Rummel. Mark Portante and Mayor Mike Thomas were absent. Ron Allison and Attorney Joseph Green were present.

Approval Minutes A motion was made by Mr. Mash and seconded by Mr. Pallo to approve the Minutes of January 23, 2023. One absent, Mr. Portante, motion carried.

Recognition Visitors There were no visitors at this time.

Correspondence

1. Minutes of the December 14, 2022, Meeting of the Windber Area Authority.

Approval Payroll A motion was made by Dr. Ledney and seconded by Mr. Mash to approve payroll for January 27, and February 10, 2023. One absent, Mr. Portante, motion carried.

Approval Bills A motion was made by Mr. Pallo and seconded by Dr. Ledney to approve the bills for January 2023. One absent, Mr. Portante, motion carried.

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

Council Liaison Reports

Ledney/WAA Dr. Ledney said the Water Authority received the new backhoe.

Holden/Library Mr. Holden said he has a library meeting on Wednesday.

Mayor's Report There were no questions at this time.

Manager's **MS4 Permit PAG136340-** This Office did receive the 2022 inspection report on February 7, 2023. A copy was forwarded to EADs for review. I will complete the review by months end and report the findings in the March report.

The road forman is currently completing the outfall inspections for submission by March 13, 2023, as required.

USDA GRANT- Eli Bradich made a request for some information that appears to be the final steps in the process to receive the grant. It will be used to reimburse the general fund when received.

GPII Debris Removal Permit- The week of February 5, Rosebud began removing debris and sedimentation from the debris basin on 17th St and placing it in the dewatering area. I was up to observe the work and it is going very quickly and smoothly. Their work is very impressive.

Ballroom- The project was turned over to the Borough and final inspections were made. The borough road crew unpacked all chairs and tables making inspection of same. Some damaged items were submitted to the supplier for replacement, there were only a few pieces. The security camera system, wifi and phone system will be installed by RGB Electric for \$4,400.00 and Comcast will be installing the internet connections hopefully completing by the end of the month.

There is stone being delivered for the parking area and to put a base to the front of the building to the steps. We are currently looking for a contractor to refinish the dance floor. The final pieces of the siding were picked up at Champion Lumber and the contractor will be returning to install.

Solicitor's Report

Attorney Green had nothing new to report at this time.

Codes Report

Mr. Holden asked the council if anyone had any questions on the codes report. Mr. Rummel had remarks on the report that would be discussed in executive session under personnel. The item was then redacted as per discussion with the solicitor.

Mr. LaMonaca asked how long it would take for the garage to come down across the street from Mr. Jerley's garage on Graham Avenue. Mr. Holden said Mr. Bloom has been watching it, but he cannot act on it unless the roof caves in or becomes deficient.

Mr. Holden decided he needed to make commentary on the codes enforcement officers report and in reference to Officer Bloom's Codes Enforcement Report he wants to go on record stating the following:

Any altercation either physically, verbally, or electronically involving employees of the borough including members of the council, Mayor Thomas, Manager Allison, Officer Bloom, Public Works, or borough office staff will be fully dealt with swiftly and severely by local authorities and legal counsel of the law. This includes interaction regarding borough business via cell phones, computer, email or in person altercations whether during working hours or personal time. As members of local government and employees of this borough we are all held to a higher standard of ethical behavior. Please conduct yourselves as such when involved with borough business and understand we are to act professionally with respect to the taxpayers of this borough when addressing concerns.

Mr. Holden said he wants both sides of the coin to treat each other with dignity and respect. We must work together to accomplish good.

**Police
Report**

Chief Frear spoke to Senator Langerholc with regards to the traffic issue and accidents we on Route 56. On Monday a gentleman from PennDot called him. Chief Frear told him they would like to have the speed limit reduced to 45 mph through Windber and to have a traffic light installed at 12th Street. They said they would do a traffic study first, but we will have to live with whatever that traffic study turns out to be. Chief Frear said he was unsure what he meant by that, and it could be because once a light is put in the borough must maintain it.

The new cruiser came in and went to Brad Jerley to have the doors painted. After that Patty Lee will put on the decals and then it will go to Team Force to be outfitted. Once it is finished he will call for a press conference and have Barry Jerley come in for that. Mr. Jerley donated the money through the Raymond DiBattista Trust Fund for the purchase of the new cruiser and the money for the license plate readers.

**Ballroom
Update**

Mr. Holden said we still have to come up with a color and time to paint the exterior of the ballroom. We have a quote on the floor so we will see where that goes in the next few days.

Mr. Holden said the council should've received their invitations for the open house on February 26th which will be followed by the WAVE Record Hop.

**Liability/
BYOB
Rec. Park**

Mr. Allison said when we were writing up our lease for the ballroom, liability insurance came up regarding BYOB. The Municipal Authority we believe allows BYOB through their leasing process of pavilions. Since we found out about that we need to examine their lease because it is used on borough property.

Attorney Green said there are ways to get around that, one would be a host liquor liability policy. Unfortunately, for a one-time event they run between \$250 and \$350. We must do something now that the borough is aware they have BYOB parties here at the pavilions. We have to take action on that, and it is just a matter of sitting down with the municipal authority and figuring out the best thing to do.

Mr. Holden said Mr. Grohal called him last Friday and wanted to identify parameters around the ballroom as to what we are responsible for around the ballroom. It is a good time to schedule a meeting between our two groups to square everything away. Mr. Allison will call Mr. Grohal and set up a meeting.

The council convened to an executive session at 8:22 p.m. for personnel matters.

The Council reconvened from executive session at 9:25 p.m.

Capitan's Agreement A motion was made by Mr. Mash and seconded by Mr. Pallo to approve the Agreement for Capitan Daniel Croyle. Roll call vote: Mr. Mash, yes; Mr. Pallo, yes; Mr. Holden, yes; Mr. LaMonaca, yes; Dr. Ledney, yes; Mr. Portante, absent; and Mr. Rummel, yes. Motion carried.

Manager's Agreement Manager's Agreement will be tabled until next meeting.

Economic Develop. Is no longer a line item.

Transfer \$25,000 ARPA Mrs. Gates said right now we have \$94,903.32 in the ARPA Fund we are going to need more start up money because there are noncontractual items that need to be paid for. She is asking council to transfer \$25,000 over to the Ballroom Account and also \$2,816.86 to Barclay Electric for the installation of the security system in the borough building. We had originally approved money for the first phase but have since completed both phases due to the necessity of needing the security system sooner than later. We would then have a remaining balance in the ARPA Fund of \$67,086.46.

A motion was made by Mr. LaMonaca and seconded by Mr. Mash to approve the transfer of \$25,000 from the ARPA Fund to the Ballroom Account. Roll call vote: Mr. LaMonaca, yes; Mr. Mash, yes; Mr. Holden, yes; Dr. Ledney, yes; Mr. Pallo, yes; Mr. Portante, absent; and Mr. Rummel, yes. Motion carried.

Transfer \$2,816.86 ARPA A motion was made by Mr. Pallo and seconded by Mr. LaMonaca to approve the transfer of \$2,816.86 from ARPA for security work done at the borough office by Barclay Electric. Roll call vote: Mr. Pallo, yes; Mr. LaMonaca, yes; Mr. Holden, yes; Dr. Ledney, yes; Mr. Mash, yes; Mr. Portante, absent; and Mr. Rummel yes. Motion carried.

Police Dept. Lease This item was tabled.

Next Meeting The next council meeting will be Monday, March 13, 2023, at 7 p.m.

Adjourn Meeting was adjourned at 9:30 p.m. by Council President, John Holden.
Respectfully Submitted By:

Robin S. Gates
Administrative Assistant