

Borough of Windber Council Meeting
Minutes of March 13, 2023
7 p.m.

The regular meeting of Windber Borough Council was called to order by Council President John Holden at 7:00 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 was absent. Ron Allison, Borough Manager, Mike Thomas, Mayor, and Attorney Joseph Green were present.

- Approval Minutes** A motion was made by Mr. Mash and seconded by Mr. LaMonaca to approve the Minutes of February 13, 2023. One absent, Mr. Portante, motion carried.
- Recognition Visitors** Mr. Holden introduced State Representative Jim Rigby and his wife who were in attendance. tonight. He will be representing Windber for the next two years. Mr. Rigby said he is hoping to continue to represent Windber after his two-year term also.
- Abby Hoffman** Ms. Hoffman said she is here today with concerns about the 22nd Street Bridge Project. She understands there are restrictions and extra cost to repair or replace it because of the historical district. She also understands the borough council believes the initial costs are too much.
- Since the February meeting she has reached out to a few places concerning this project and plans on continuing to reach out to every avenue she sees as a potential aide of her concern. After the previous meeting, she reached out to PHMC/PASHPO with questions she had about the project and the historical district. The representative that was in contact with her stated that this project was in the very early scoping stages. This statement and the information that this project will not begin until 2026 leaves her to believe there is time to come up with a better solution .
- Ms. Hoffman said she was raised with the belief that if there is a will there is a way. She has the will and plans to work to find another way but obviously she can not do that without the help of this borough council. She is here tonight to ask that council hears her concerns and take into consideration the adverse effects this would have on residents below the bridge. Through her outreach she has gained understanding that any sort of hold or pause on the bridge project could lead to a loss of funding. However, it is her belief this only puts a timeline on them finding a better way.
- In a conversation with Congressman Reschenthaler's office they offered to pursue an historical easement, but they were told the borough did not want too. She would like to ask why the borough did not want them to pursue this. Another thing that was mentioned by the congressman's office was that emergency services agreed to the bridge project although they say it is manageable but not ideal from the standpoint of emergency services. Her question is how is manageable enough? Seconds save lives and emergency services will be delayed by minutes not seconds. If it were your child or parent, would you be willing to wait the extra time?

Ms. Hoffman said there is also the concern of painting Victory Lane. Will that continue and if it does the road is usually closed. How will we access or leave our homes during this time. She also has concerns about events at the stadium. Without that road being closed for events, is it safe to have the increase of vehicular traffic along with the increase in pedestrian traffic. There are no sidewalks on that road and there are lots of small children walking to the events with their families.

Ms. Hoffman said she does not expect a solution tonight she is simply asking the council to pursue every avenue to find a better way. Her suggestion is to pursue the historical easement in the hopes it will find a cost effective solution to keeping the 22nd Street Bridge open to vehicular traffic. The PHMC/PASHPO said the bridge is not historical that it is just in a historical district. This means there has to be a way to work around the initial cost associated with this type of work in an historical area. She will continue to search for options and is only asking council to be open to a better option.

Manager Allison said a comment was made by Congressman Reschenthaler's office regarding an historical easement. He said no one here was told anything about a historical easement. Ms. Hoffman said they told her they contacted the borough and told them about it. Mr. Allison said they contacted him and that never came up. He said they basically called him to make sure we did due diligence in everything they did and everything he explained to the gentleman who called him (which he believes his name was Shawn) said he believed that he did. What Ms. Hoffman brought up was never mentioned, if it was we would've been looking into it.

Mr. Holden said understand we are in this with you guys. This is something that is being dictated by PennDot to us. This is not something that we arbitrarily decided ourselves. We must go by what they told us. We will circle back with Shawn the Congressman's representative and find out where he got that information.

Mr. Holden said the historical decision was made by PennDot. Mayor Thomas said the bridge was designed by PennDot and then this historical division jumped in and said they can not do that. Manager Allison said PennDot has their own historical department that does these assessments before SPO gets involved.

Mr. Bloom said as far as emergency services goes he can get his engine and his ambulance to every house back there. Obviously we are not in favor of it because it cuts off our direct access but you are not going to be put on an island. We have advocated for a secondary road and the bridge repair, but we can get to you and will not isolate you. We would not support that. It is obviously not our preferred route but we can get there and we have made sure of that.

Mr. Holden said as far as closing 24th Street for the cheerleaders to paint Rambler Road, public safety is paramount and the residents being able to access their homes is paramount. So if they can't paint Rambler Road, or stadium drive has to be limited to resident parking only or permanent parking only to keep people from parking there and going to the stadium, we cross those bridges when we get there. We are pursuing different things to help the residents out. We are not turning our back. When PennDot said that is the only option we

had, we said well that is the only option we had but we're willing to work with you and represent you. The Borough Manager, Mr. Allison exchanged contact information with Ms. Hoffman.

Representative Rigby said he drove down to 22nd Street today because he wanted to see it and he reached out to Tom Prestash, District 9 from PennDot. It is not a PennDot road, but it allocated \$750,000 to do the original repairs and there was a preservation historical group who got involved as part of the study and came back to him and said no this is an historical bridge and then the bids went up from 1.5 to 2.5 million. The state was willing to come in and do that work they had allocated the monies for it.

Representative Rigby said Mr. Prestash also told him they are now looking at widening the roads to come back in to make easier access in or out if the bridge can not be completed as a working bridge. If it falls under historical, they will give the \$650,000 and the municipality would have to come with the difference of the 1.5 to 2.5 million.

Mr. Rigby questioned the historical value of it. He said the group that deemed it historical he can go back to Tom with the information from tonight about getting an easement as soon as possible. He said he has not heard about an easement like that either.

Ms. Hoffman said the PHMC/PASHPO told her in an email the bridge has no historical value itself it just falls in an historical district. Mr. Holden said that is what PennDot said at the last meeting also.

**Ken
Lowry**

Mr. Lowery said most of the questions he had were answered. His biggest question though was money. Is the money listed in here etched in stone or is there a possibility of more monies becoming available for that. Mr. Holden said 80% is federal, 15% state and 5% local. Our portion of the match is 5% and the state government allocates funds and once it is allocated that is pretty much it for that time frame.

Manager Allison said in the project overview they specify that any other options would require the borough to fully fund the difference.

Mr. Lowery said the overview shows current construction estimated at \$387,458.50. Mr. Holden said that is their portion then there is 15% from the state and 5% from us and that is to make it a pedestrian only bridge and widen Stadium Drive and easements. Mr. Lowery asked if there were any other monies for that. Manager Allison said he does not feel it would prevent a future project. Can't the money be used from the widening of the road and other public monies to build the bridge? Mr. Allison said you cannot. Mr. Bloom said some things when they have the funding allocated like that there is a certain timeframe where you use it or lose it type of thing.

Mr. Lowery asked if money was the issue in building this or is it the historical district. Mr. Holden said the former borough manager outlined it step by step after the last meeting. Initially we had the funds to replace that bridge, the project was a go. Then PennDot came back to us to reconsider the rehab of the bridge for a lessor project and he refused and said we have to have that bridge replaced and then they came back to us with the historical district preservation thing which changed it all.

Mr. Holden said he does not believe it was SPO, PennDot has their own historical division. Mr. Rigby will be talking to Mr. Prestash about that. Once the funds are allocated, it is use it or lose it, and the funds go to someone else.

Donald Lombardi

Mr. Lombardi said he is 90 years old and has lived on that street since he was 10. That is a fantastic street. He asked why we can't get a bridge? Get it fixed. If you walk up to it you see black top because of all the holes in the bridge. Why put a fake barricade along side the bridge just fix it. Those people need help down there. What is going to happen if there is a fire. They need a bridge so fix it. He said he remembers sitting on that bridge when he was 10 years old. Now it is awful to see that bridge like it is. It looks like junk. Mr. Lombardi said you did a good job on the ballroom at the park now do it for us and give us some help.

Dennis Dominic

Mr. Dominic passed he said the questions he had were already discussed.

June Stevens

Mrs. Stevens said she lives on Stadium Drive and when someone goes up and down the street we pull off, they pull off, we go, and they go, we do not need it widened we need it paved. Put that money towards the bridge. Mr. Holden said we do not have the luxury of saying put the money here or there that is PennDot. Even if we took the money and put it towards the bridge it would still not be enough.

Mr. Holden said we are looking at alternatives also. We want to help. Representative Rigby said he just spoke to Tom Prestash and he responded back. The State Historic Preservation officer who works for PA Historic and Museum Commission along with Federal Highways are the ones who deemed the bridge. They are not affiliated with PennDot at all. He said they are an independent agency and Federal Highways concur. He is not sure about the easement, but he will investigate it tomorrow. Mr. Prestash said since there is federal money being used for this bridge that is how this historical group got involved. When you use federal money they are brought in.

Recognition Visitors

1. Somerset County Boroughs Association Dinner Meeting invitation. Thursday, April 13, 2023.

Approval Payroll

A motion was made by Mr. LaMonaca and seconded by Dr. Ledney to approve payroll for February 24, and March 10, 2023. One absent, Mr. Portante, motion carried.

Approval Bills

A motion was made by Mr. LaMonaca and seconded by Mr. Mash to approve bills for February 2023. One absent, Mr. Portante, motion carried.

**Cash Bal./
Treasurer
Report
Council Liaisons**

Mrs. Gates said the audit is complete the auditor is just awaiting the letter from our solicitor.

**Ledney/
WAA**

Dr. Ledney said Dennis Mash is retiring the beginning of August so effective around May 1st 2023, Vinnie Paczek was hired to take his place.

Holden/ Library	Library meeting is tomorrow night.
Mayor's Report	Mayor Thomas said he had been sick for two weeks, but he was able to attend the opening of the Grand Ballroom on February 26, 2023.
Manager's Report	<p>MS4 Permit PAG136340- The Road Foreman has completed the outfall inspections for a submission by March 13, 2023, as required.</p> <p>USDA GRANT- In process, invoices we submitted for the Police Cruiser for reimbursement. Awaiting response (funds)</p> <p>GPII Debris Removal Permit- Upon inspection of the work the last week of February it appears the entire area of the sedimentation pond on 17th St. has been cleaned out and all sediment is dewatering at the permitted location. I did reach out to thank Rosebud Mining for their efforts.</p> <p>Ballroom- The Grand Opening was held on February 26, 2023, with much success. All kitchen equipment has been installed and is up and running except for a stove. There will need to be an electrical outlet added to support the electric stove. There is the ongoing work of the floor refinishing that began on February 27, 2023, after the opening. This work should be complete by the last week of March. With council approval there will be a shed installed to the right side of the building for storage. This building is necessary to store unused equipment and furniture not needed for events scheduled.</p> <p>There will also be a dumpster placed at the very end of this shed concealed for the waste from events. There are some parking issues to be addressed moving forward and being discussed. Planning for the landscaping, sidewalk and drive up drop off point to the entrance are underway and hopefully completed by end of May. If things continue to move in the positive direction plans for a gazebo will go forward and be in place this summer.</p> <p>Stadium Drive/22nd St.- I have researched that if the property is obtained at the end of 22nd St. liquid fuel funds could be used to build a road bridging Stadium Dr. and 22nd St. Currently I'm reaching out to the owner to see if an agreement to purchase this property is a possibility.</p>
Solicitor's Report	Attorney Green had nothing to report at this time.
Codes Report	Mr. Bloom said that 585 & 587 have been scheduled for demolition and a request was put in for 107 Hillside Avenue. All of those are scheduled for demolition before May 31, 2023.
Economic Development	Project #2 - Miller's Martial Arts is set to open. They secured the property at 913 Graham Avenue. Permit is secured and they should be open by mid-summer.

Project #3 - directly across the street has been secured. The new owners of the commercial property will have a coffee shop along with an antique store moving in there. They may do breakfast in the future, and it would become a small diner.

Project #4 - Little Learner's Day Care will be opening on Hillside Avenue. It is a small day care based out of a residential unit.

Project #5 - Cupcake Shop. Mr. Bloom is working with the owner to bring her business to the downtown area.

Mr. Bloom said the church on Graham and 9th Street has been waiting for the engineer's study to be done on the structure. It finally came back and there was significant damage but small enough to be reconstructed. The building is secure enough to support rehabilitation and they now have all their permits, insurance money, and engineers report so the church will be rebuilt.

Mr. Holden thanked Mr. Bloom and Mr. Allison for all is work on economic development bringing in several new businesses. Mr. Bloom said **Project #1** is substantial, but we are unable to speak about that at this point.

Ballroom Update

Mr. Holden said Mr. Allison has already updated council on the current information. Mrs. Gates said the Event Coordinator, Lauren Smalley's report is also in the packet. She said that Lauren already has 9 weddings booked for this year and they are showing the ballroom just about every day. We have received our first deposits on rentals of the ballroom.

Mrs. Gates said as far as the loans go, the one million dollar loan has a zero balance left and we have one more payment to be paid to CNC Construction and floor contractor and we will be finished with the \$730,000. We have one more application for request of funds to make to the Office of the Budget. Once everything is completed, they will come in and do an audit and release the last of the funds.

Approval Storage Shed

A motion was made by Mr. Mash and seconded Mr. LaMonaca to approve the purchase of a storage shed for the ballroom. Shed will be 14' x 28' at a cost of \$10,436 and the money will come from the ARPA Account. Roll call vote: Mr. Mash, yes; Mr. LaMonaca, yes; Mr. Holden, yes; Dr. Ledney, yes; Mr. Pallo, yes; Mr. Portante, absent; and Mr. Rummel, yes. Motion carried.

Approval Cody Weaver

A motion was made by Mr. Mash and seconded Mr. LaMonaca to approve Cody Weaver as a part-time seasonal employee for the Grand Ballroom. One absent, Mr. Portante, motion carried.

Easter Egg Hunt

A motion was made by Dr. Ledney and seconded by Mr. Mash to approve the donation of \$100 (as budgeted) for the annual Easter Egg Hunt on April 1, 2023. One absent, Mr. Portante, motion carried.

Approval Block Party A motion was made by Dr. Ledney and seconded by Mr. Mash to approve Life Church to hold an annual block party Friday, May 26, 2023. This will consist of blocking off Graham Avenue from 13th Street to 15th Street. (Event package has been picked up by a church official). One absent, Mr. Portante, motion carried.

Resignation Officer John Todaro A motion was made by Mr. Mash and seconded by Dr. Ledney to approve the resignation of Officer John Todaro. One absent, Mr. Portante, motion carried.

Council convened to an executive session at 7:47 p.m. for personnel.

Council reconvened from an executive session at 8:16 p.m.

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

Full-time Officer This has been tabled.

Next Council Meeting The next council meeting will be April 10, 2023, at 7 p.m.

Adjourn Meeting adjourned by Council President, John Holden at 8:27 p.m.

Respectfully Submitted By:

Robin S. Gates
Administrative Assistant