

Borough of Windber Council Meeting
Minutes of September 11, 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.

Moment of Silence with Respect to the Anniversary of 911.

Pledge of Allegiance.

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

**Approval
Minutes**

A motion was made by Mr. Pallo and seconded by Dr. Ledney to approve the minutes of August 14 and August 28, 2023, meetings. One absent, Mr. Mash, motion carried.

**Cathie
Beal**

Cathie Beal the Recycling Coordinator for Somerset County said she has been here for about six weeks now and it has been a learning curve for her. She has a slight background in recycling. She worked for the Sheltered Workshop in Somerset County for almost 20 years. When they started the recycling program there it was the first in the county and she helped write the grant to get that and it is still there and functioning.

Ms. Beal said Morgan Rapsky had approached her about recycling in Windber Borough. Morgan was going back to college and Ms. Beal told her that she would come here and speak with the borough. She came and spoke to Ron and Robin. She explained that there are grants available and if the borough chooses to pursue those she will gladly help.

Ms. Beal said like every other county and municipality there is quite a negative perception around recycling, and she realizes we are not immune to it. The only mandated recycling in the county is Somerset Borough. She realized Windber has also had their issues and did recycle glass at one time at the Windber Community Building and it was a big mess. Like every other endeavor the county sheds were a mess. They bought sheds for a variety of places and everything was dumped there, from animal carcasses and medical waste to ashes from people's fireplaces which contaminated those bins, and it was not good.

Ms. Beal said prior to her arrival the person before her wrote a grant and they were awarded that grant. They had a pilot program in place so once they got the grant the bins had already been purchased. CAP Glass Recycling out of Pleasantville does a really good job and lets us borrow a recycling container that is located at Penn Highlands in Somerset. They do have their problems and once they start throwing garbage in it becomes a big blip.

Ms. Beal said it is difficult to get the haulers to come once the bin is full. They have not had issues with broken glass, but she can see that as an issue. Along with the grant money they purchased some cameras to monitor the area. They are hopeful this will go well for them. They are getting three more bins ordered this week. Cardboard and aluminum will also have a bin along with plastic and glass in them.

Lauren Rapsky had asked that Ms. Beal be present with her. Lauren wanted to express her desire to get something started. Ms. Beal said she did not know everything that Lauren wanted to say. They did have a few back-and-forth conversations and she had explained to her that she had spoken with Ron and Robin and voiced the concerns they had shared with me.

Mrs. Gates said that Ms. Beal told them about the grants and their thinking was that we would wait and see what happens with their program in Somerset. Ms. Beal did tell them there is a new bin out now where the slot is only big enough to put glass or tins cans in. Mr. Holden said they recycle at UPJ, and they take glass, plastic, newspaper and whatever. He believes the location where it is set up is adjacent to the student center. People sometimes have a conscience when they are next to a police station. He does agree with Mrs. Gates's perception and Ms. Beal's observation of glass at the community building. The bins would be stuffed full and there would be stacks of cases of glass bottles next to the bin. It is good that they are recycling but it is bad when they come and pick up the bin.

Mrs. Gates said the recycling bin was kept at the back of the community building and people began dropping off their garbage and the borough public works were down there every day sweeping it up and cleaning it up. Then when we hit covid everything kind of stopped and the county stopped also. There was also the issue of trying to get the garbage hauler here to pick up the overflowing bins. The community building was not a good fit due to the constant activities and people there and people having to see garbage on the ground constantly in front of the bin. The question was then where you put it, and can you put it in a spot where cameras could be placed. Ms. Beal said once the one in the county takes off then she would help us with getting up and running with cameras. Right now, we are kind of watching how this goes in the county and location is an issue.

Ms. Beal said she has been to other counties. Fayette County won the governor's award last year for recycling. They are a very similar county to us. She said the recovery materials center in Fayette and Westmorland, we do not have here. That is a deterrent for us. It must be shipped to make that happen. The successful places she has been are gated. They are fenced off. The collection bins are far away from anyone being able to throw, climb, or whatever. They are monitored with cameras and people and are a very organized endeavor. We are not there we just aren't, and she hopes we are able to get there some day. People like Morgan are those who get things started. We have a small group of people in Somerset that started two years ago and take things to three different counties to recycle it correctly. It is amazing what they get and what they do.

Ms. Beal said what she is offering is what little she knows and will do whatever she can if Windber chooses to do that. She has a pilot program she is watching, and she is jumping in the glass containers to get the boxes and bags out, so it is successful. It is going to take a while until people are educated. It starts with education.

Manager Allison said he agreed that it is a necessary endeavor we just need to find a proper place for it, so it doesn't become a dumping zone. Mr. Holden agreed based on what the county finds out.

Mr. Portante asked what happened to the tin recycling bin at the community building. Mrs. Gates said we had glass, tin, and green and brown glass at the community building. Mr. Pallo said there was so much product and no way to get rid of it. Mr. Holden said there was

garbage dumped off also and the different colored glass was being mixed up. Ms. Beal said that is not a problem any more the people at Mount Pleasant invented a conveyor belt that recognizes the colors and separates them into bins.

Ms. Beal said we are a blip on the screen to them. We are over the mountain, and they are not really thrilled about the winter and coming to get the bins. Mr. Pallo asked if they would provide those. Ms. Beal said no. They did it for them because the coordinator before her went to them and they offered the collection bin to them to see how it would go. The way it works in other counties, if you have the material and hauler facilities close by and you give them clean stuff the recovery center will take it for nothing from you. She said if it is contaminated, they may take it once or twice and tell you about it and if it continues to be contaminated, they will stop.

Mr. Holden said we need more discovery and thinking about downstream costs with material and hauler fees. Ms. Beal asked if there was a facility in Portage. Mr. Bloom said it is in Croyle Township. Mr. Holden said maybe find out where Cambria County is taking their stuff. It is something the council agrees to entertain pending the results at the county and how it develops. It is not a no.

Mr. Holden said it reduces the amount of waste and garbage people throw out and it is good for the environment. Mr. Holden thanked Ms. Beal for coming and said to keep in touch with Manager Allison.

Correspondence

1. Minutes of the Windber Area Authority's July 12, 2023, Meeting.
2. Minutes of the Windber Public Library Meeting June 21, 2023.
3. Somerset County Borough's Association Dinner Meeting Wednesday, October 11, 2023, at Rizzo's Restaurant.

Mr. Holden said that he and his wife would attend the borough's association dinner and Mr. Rummel said he would also. Mrs. Gates asked the other council members to let her know if they will attend.

Approval Bills

A motion was made Mr. Pallo and seconded by Mr. LaMonaca to approve the bills for August 2023. Mr. Mash was absent, motion carried.

Cash Bal./ Treasurer Report

There were no questions at this time.

Council Liaison Reports

WAA/ LaMonaca

Mr. LaMonaca said the Municipal Authority's meeting is tomorrow night so he had nothing to report at this time.

WAA/ Dr. Ledney

Dr. Ledney said the Water Authority audit was good and he will be leaving a copy here if anyone wants to see it.

Dr. Ledney said as far as sewer they are discussing with the engineers about doing some upgrades to the sewer system at the sewer plant. It would be a substantial upgrade and take them into the next 20/30 years. They are awaiting the engineers' report and there is a meeting on Wednesday.

Mr. Portante asked Dr. Ledney if there would be a cost involved. Dr. Ledney said yes, they are just in a preliminary phase. It would be a major upgrade and adding to the existing building that is there. Also, discussion of what to do with the waste, as to how it is disposed of now, to basically do a chemical type of treatment that can be used in farming and gardens. Mrs. Gates asked if they would be looking at PennVest for grants and loans. Dr. Ledney said yes.

**Library/
Holden**

Mr. Holden said the last report from the library is in the council's packet under correspondence. June 21st will be their next meeting.

**Mayor's
Report**

On August 21st, Chief Frear and Mayor Thomas attended the Windber Area School District Board meeting to discuss and answer questions regarding the SRO agreement with the district. After a discussion and explanation, the Board was satisfied with the contract, and placed it on their agenda for approval on August 29th.

On Friday, August 29th, Mayor Thomas met with Windber School Superintendent, Mike Vuckovich. We discussed the possibility of creating a school zone traffic area on Graham Ave from 23rd St to 24th street. There are several items that need to be done for that to happen. He agreed to work with him, including working on grants to make this possible if it isn't an expense to the borough. We will continue to meet and bring this to fruition.

Mr. Holden said the SRO Agreement is on the agenda tonight. Mrs. Gates said the agreement is not in the council's packet and asked Attorney Green or Chief Frear if they had a copy? Both said they did not. Chief Frear said it was at the school because they had just approved it there.

Attorney Green said he read it over and saw no problem with it. He relied on the figures Mrs. Gates gave him for a five-year contract. The officers would still be employed by the Windber Borough Police Department and still report to Chief Frear for direction. Time and a half are allowed in there if it is approved by the Chief if the school needs them to stay longer. One SRO Officer would remain in the school district year around and the other will work for the borough during Christmas break and summer break and will be added back onto the roster. They will be fully funded by the school. The only out by the school would be if there was a problem with an SRO Officer and we can't resolve it they can terminate the contract. Manager Allison asked if we had the ability to replace that officer. Attorney Green said yes. The two officers interviewed by the school district will be a great fit. Attorney Green said this can be approved pending review.

Mr. Holden said we want to provide security for the school district, and we do now want to delay it either. Dr. Ledney asked if was worded in the agreement about a borough officer filling in if one of the SRO's is sick. Chief Frear said he believes it does say that the borough will fill it if it is possible for someone to work it if that happens. Attorney Green said he believes it is written that the borough guarantees an officer will be there to provide the security but not complete SRO services because they will not be SRO certified.

**Manager's
Report**

Ballroom-The landscaping has been completed at the front of the Ballroom, with the flagpole being installed. There is conduit for lighting in place and can be installed in the circle. Interviews were conducted for the assistant position and the recommendation to hire Christine Pile for that position is forwarded to the council.

Stadium Drive/22nd Street-The following information was given to me by EADs and proposed as a solution/response to the concerns of PennDOT on the deficiencies of the bridge: *The load rating analysis indicates that by placing a concrete barrier longitudinally across the bridge on top of Beam 5, we can keep all live loads off Beam 7 and maintain the current weight posting of 13 tons. Once the barrier is placed, there will be a clear roadway width of 13.5'. Once we receive PennDOT's approval, we will provide a plan to the Borough showing the placement of the barrier that will close off the sidewalk and channel vehicles across the structure as well as the required signs for a single lane bridge.* I believe this to be the best possible solution with little or no alternatives currently.

We had also discussed in a meeting with EADs the proposed road and did determine that we can use liquid fuels money for the installation bridging 22nd St. and Stadium Dr. together. Going into next year we can place a stone surface to spec. giving the borough access till such a time it can be paved.

Road Crew- An interview was conducted with one applicant for the Road Crew. I believe him to be a solid candidate and am submitting a recommendation to hire Ryan Kearns for this position to start as soon as possible.

MS4 Storm Sewer System Report- The annual report is being prepared by EADs Group under this permit. I want to advise the council that this year the Borough has come short due to the lack of ability to clean and maintain the number of basins desired under this permit. We were also short on street cleaning as well. I will attach the report in the following months.

The EADS Group has proposed to render professional engineering services for the NPDES MS4 Permit No. PA136340 for Windber Borough. The Borough's MS4 Permit requires an Annual MS4 Status Report be submitted and accompanied by a Pollution Reduction Final Report by September 30, 2023.

A motion was made by Mr. Rummel and seconded by Mr. LaMonaca to approve the proposed engineering services by the EADS Group in the amount of \$6,000. One absent, Mr. Mash, motion carried.

**Solicitor's
Report**

Attorney Green said he had nothing to report at this time.

**Codes
Report**

There are no questions at this time.

**Approval
Driveway/
Curb Cut**

A motion was made by Mr. Rummel and seconded by Mr. Portante to approve a driveway/curb cut opening at 300 7th Street for the American Polish Educational Club. One absent, Mr. Mash. Motion carried.

**Event
Coordinator
Report**

Mrs. Lauren Smalley the Event Coordinator introduced herself to all of Windber Borough Council.

Back To School Dance Night: On Friday September 8th the Grand Ballroom will be holding its first ever junior high school dance. This dance is open to all local school districts and admission price is \$10.00. The cost of admission includes a drink and a bag of chips for the students. The dance will begin at 7pm and end at 9pm. Doors open at 6:30. I will be there to chaperon the dance as well as Cheryl Denk. DJ services are being provided by DJ Sideshow. Both the DJ and I have our child abuse clearances. Security is being provided by Windber Police Department. The DJ will play trivia games during the event. I was able to purchase eight \$5.00 gift cards for Five Below as prizes. If there is a large turnout for this event it will become a monthly event for the remainder of the year. Advertising for this event is specifically on the Grand Ballrooms social media accounts. I also sent out letters and event flyers to the local school districts.

Mrs. Smalley said they had between 40 and 50 kids at the dance and everything went very well.

Touch a Truck: On Saturday September 9th the Grand Ballroom will be hosting a Touch a Truck event. This is a free community event, and all local communities are welcome. A Touch a Truck event gives the public, especially children, the opportunity to explore and sit in various trucks. These trucks can include first response vehicles, semi-trucks, tow trucks, and other various trucks. Windber Fire Department will be bringing a truck. Northern EMS will be bringing an ambulance. Windber Police Department will be bringing a police cruiser. Dale Borough Fire Company will be bringing their attack truck. Lee Construction will be bringing a cement truck. I have called out to other truck owners and drivers. I am just waiting for approval from some of these truck owners and drivers. Advertising for this event is specifically on the Grand Ballrooms social media accounts. This event was canceled due to the weather, Mrs. Smalley said, and will be rescheduled. She had several people/companies interested in placing trucks in the event.

Open House: I am still conducting a Grand Ballroom open house during the Market in the Park. Open houses take place on Wednesdays from 4-8pm. All marketing materials are put out for open house guests. The Grand Ballroom is decorated as it was for the grand opening. We currently are holding a drawing during the open house to win 10% off any event package. The winner will be drawn at the end of the summer when the Market in the Park is over in August. It is being advertised on the Grand Ballroom social media accounts and Rec Park is also listing it in their advertising. The market ends this Wednesday, and I will be pulling a winner for the drawing.

Marketing: A new marketing plan has been created for the Grand Ballroom. This marketing plan will better fit the budgetary needs of Windber Borough. It also has more cost-efficient advertising mediums to reach potential clientele. In addition to this Robin, Cheryl, and myself have recently met with the Tribune Democrat for an exclusive offer to clients. This offer was for front page advertisement for the Grand Ballroom in the form of Post It style stickers. This offer came a packaged deal with digital advertising on the Tribune Democrats website as well as ¼ a page print advertisement.

Community Outreach: The Grand Ballroom needs to have good Public Relations (PR) so that the Grand Ballroom has a favorable image within the community of Windber as well as the surrounding communities. If the Grand Ballroom has a favorable image with the community, it will help attract new clientele and help obtain new bookings. I have implemented a community outreach program. Once a month the Grand Ballroom will be involved in community events. This could be a free event hosted by the Grand Ballroom or an event hosted by another organization the Grand Ballroom can be involved in. I currently have two community outreach events planned. If there are any specific PR events Windber Borough officials would like me and the Grand Ballroom to be involved in, please reach out to me via phone or email.

September: Touch a Truck

October: Windber Halloween Parade.

She will be passing out treat bags at the fire station from the Grand Ballroom. The treat bags will contain a tag attached to them that has the Grand Ballroom logo and pertinent information on them.

Monthly Overview: To better serve the clientele I am currently developing a set of guidelines for the clientele to adhere to. This included guidelines on decorating, trash abundance, alcohol consumption, pets, smoking, and overall cleanliness of the Grand Ballroom. I feel this will make run more smoothly for the Grand Ballroom staff. We have run into some cleanliness, trash, and pet issues that need to be addressed with our clientele. Mrs. Smalley said showings are increasing again. Mr. Holden asked about advertising. Mrs. Smalley said we are advertising with the Tribune Democrat. We will have the little stickers on the front of the newspaper on October 9th and 30th. one is themed for thanksgiving and one for Christmas. We will have weddings ads in January and February 14th for Valentines Day. Along with the sticker on the front we also get an ad in the paper on that day.

Mrs. Smalley said she has reached out to TICA's Coupons. It is a circular that goes out of local supermarkets. They reach 60,000 people and it is relatively cheap to advertise in it.

Mrs. Smalley said that we are going to do drone footage of the ballroom and we have photos from a wedding shoot as well.

Mr. Holden said the WACK Red Rose Ball is not happening next year. Council discussion led to Mrs. Smalley looking into holding a ball similar in nature to the Red Rose Ball since they will no longer be having the ball.

Mrs. Smalley said there is an event on November 3rd for the Stork Fund. The Stork Fund is a local nonprofit that supports fertility treatments and adoption fees. It is a girl's night out kind of thing.

Mr. Holden thanked Mrs. Smalley for attending and her report.

**Special
Events
Agreement**

A motion was made by Mr. Pallo and seconded by Mr. Rummel to approve an Agreement with respect to special events security with Windber Area School District. (Cost \$35/hour). One absent, Mr. Mash, motion carried.

Approval Full-time Officers	<p>Chief Frear said we are requesting to move two officers to full-time status to work as School Resource Officers for Windber School District. They will be paid by the school district and would begin on September 18, 2023.</p> <p>A motion was made by Mr. Rummel and seconded by Mr. LaMonaca to approve moving to part-time officers Karissa Lupton and Gary Eisenhuth to the full-time status, they will both be working as School Resource Officers for Windber Area School District and will be paid through the school district. Start date will be September 18, 2023. One absent, Mr. Mash, motion carried.</p>
Approval Civil Service	<p>Manager Allison said when he first started here, he felt the need to go civil service with our police department and in talking with Chief Frear it has become a necessity, going into the new year. Once we approved the two full-time School Resource Officers we have to become Civil Service at that point. We will have to put a civil service board in place to complete the process.</p> <p>A motion was made by Mr. Pallo and seconded by Mr. Rummel for Windber Borough to enact civil service. One absent, Mr. Mash, motion carried.</p>
MMO Non-Uniform Pension	<p>A motion was made by Mr. Pallo and seconded by Mr. LaMonaca to approve the Minimal Municipal Obligation (MMO) for the Non-Uniform Pension Plan for the 2024 budget year in the amount of \$19,200. Roll call vote: Mr. Pallo, yes; Mr. LaMonaca, yes; Mr. Holden, yes; Dr. Ledney yes; Mr. Mash, absent; Mr. Portante, yes; and Mr. Rummel, yes. Motion carried.</p>
MMO Police Pension	<p>A motion was made by Mr. LaMonaca and seconded by Mr. Pallo to approve the Minimal Municipal Obligation (MMO) for the Police Pension Plan for the 2024 budget year in the amount of \$99,368. Roll call vote: Mr. LaMonaca, yes; Mr. Pallo, yes; Mr. Holden, yes; Dr. Ledney, yes; Mr. Mash, absent; Mr. Portante, yes; and Mr. Rummel, yes. Motion carried.</p>
Approval Laborer	<p>A motion was made by Mr. Pallo and seconded by Mr. Portante to approve Ryan Kearns as a part-time laborer for the public works department. (\$13.70/hour). One absent, Mr. Mash, motion carried.</p>
Approval Assist. Event Coordinator	<p>A motion was made by Mr. Pallo and seconded by Mr. LaMonaca to approve Christine Pile as a part-time assistant event coordinator for the ballroom. (\$11/hour). One absent, Mr. Mash, motion carried.</p>
Approval SRO Agreement	<p>Superintendent Michael Vukovich arrived with the School Resource Officer Agreement.</p> <p>Attorney Green read through the agreement with council as follows: This is an agreement between Windber Borough and the Windber Area School District. There are three clauses just setting up the background as to whether we have a police department, and the school district wants security and School Resources Officers at both schools. The term starts at the 2023-2024 school year and goes on to the 2027-2028 school year which is a five-year contract.</p> <p>Windber Borough shall provide two qualified police officers. One will work year-round, and one will work during the school year and on Christmas and summer break he/she will be placed on the roster of the Windber Borough Police Department working for the borough.</p>

All School Resource Officers will remain employees of Windber Borough Police Department under the direction and control of the Police Chief. The school can obviously request for example, hey can you do this, or would this be a good idea and that certainly is allowable under this contract.

The School Resource Officers will work from 7:30 a.m. to 3:00 p.m. on normal school days for students and some hours can be amended if so desired upon the agreement of both the school district and the Chief of Police. The School Resource Officers must be in accordance with the bargaining agreement with the Teamsters.

Windber Borough shall provide appropriate legally qualified persons to serve as School Resource Officers during the hours indicated herein. It is understood should an emergency occur in Windber Borough Police Department jurisdiction; one SRO may leave to assist Windber Borough the other will stay in the school and work both buildings.

The school district can request additional time that would then be billed at time and a half. Compensation goes from Calander year 2023 through 2027. Windber Borough will be reimbursed the per hour amount for any two-week period as soon as they have their school board meeting, and it is approved they will get paid.

It is understood specific officers have been assigned as School Resource Officers for the school district for day-to-day operations. In rare occasions because of scheduling needs of Windber Borough and the assigned officer cannot be assigned to the school for that day Windber Borough may provide additional officers as necessary to provide a services required. Should this action become pattern behavior the school district and borough will review and reevaluate the agreement and the officers assigned to fulfill the School Resource Officer duties. If an agreement cannot be reached regarding this measure the agreement can be terminated.

Attorney Green said so if we have a pattern of an SRO officer not showing up and not showing up and not showing up and we can not get a regular replacement that is when he assumes the superintendent and Chief Frear will meet and try to figure it out. Manager Allison said then we would have an opportunity to train and fill a position with another School Resource Officer. Attorney Green said yes.

Mr. Holden asked if we had another officer trained or could we have another officer trained to standby. Chief Frear said we are planning on training one other person in case something happens.

Mr. Pallo asked what the delegation is for qualified. Attorney Green said if an SRO Officer is sick and cannot come in the following day then another officer can come in for that day just for security. If it were a longer period, then you would need a certified SRO Officer. It is a good idea to have at least one or two additional certified officers.

Superintendent Vuchovich said right now we do not have a NASRO trained officer filling in short term, so that is an exception to the rule. To the point if it is a prolonged absence then we would respectfully request they be NASRO trained officer. NASRO training occurs on a regular basis. There is a facility in State College we have lined up for both officers.

He would recommend a backup, that would make sense to protect their investment too. If they are off just a couple days, they would be fine with that but more they would ask for someone who is certified through NASRO.

Mr. Holden said it is more than just dollars and cents, it is a security issue, and we would like to have a backup.

Superintendent Vuchovich thanked the council and Chief Frear for everything. They were in a little flux with the SRO position and Chief Frear has bent over backwards to help us.

The last paragraph Windber Borough indemnifies the school district for any negligence etc. the only time there is not indemnification is when there is willful conduct from the school.

A motion was made by Mr. Portante and seconded by Dr. Ledney to approve the updated School Resource Officer Agreement with the Windber School District. One absent, Mr. Mash, motion carried.

The borough council convened to an executive session at 8:12 p.m. for personnel.

The borough council reconvened from executive session at 9:05 p.m.

**Approval
Civil Service
Board** A motion was made by Mr. Pallo and seconded by Mr. Rummel to appoint Dan Kennedy, Joe Cannoni, and Tim Layton to the Civil Service Board. One absent, Mr. Mash, motion carried.

**Next
Meeting** The next council meeting will be October 9, 2023, at 7:00 p.m.

Adjourn Meeting was adjourned by Council President, John Holden at 9:15 p.m.

Respectfully Submitted By:

Robin S. Gates
Administrative Assistant

