

BOROUGH OF WINDBER
Borough Council Regular Meeting
Monday, January 13, 2024
7:00 p.m.

The Regular meeting of Windber Borough Council was called to order by Windber Borough Council President Richard Rummel, at 7:00 p.m.

Pledge of Allegiance

The following council members were present: Mr. Bahorik, Mr. Klonicke, Mr. LaMonaca, Dr. Ledney, Mr. Moore, and Mr. Rummel. Mr. Pallo was absent. Mayor Thomas, Manager Allison, and Solicitor Green were also present.

Approval Minutes A motion was made by Mr. Moore and seconded by Mr. Bahorik to approve the Minutes from the Reorganizational Meeting on January 2, 2024. One absent, Mr. Pallo. Motion carried.

Recognition Visitors There were no visitors at this time.

Correspondence

1. PSAB Update.
2. Windber Fire Department 2023 banquet invitation.

Approval Bills A motion was made by Mr. LaMonaca and seconded by Mr. Klonicke to approve bills for December 2023. One absent, Mr. Pallo. Motion carried.

Approval Payroll A motion was made by Mr. LaMonaca and seconded by Mr. Klonicke to approve payroll for December 15 and 29, 2023. One absent, Mr. Pallo. Motion carried.

Cash Bal./ Treasurer Report Mr. Rummel said Mrs. Gate has no problem getting together with the new councilmen on one on one to explain the Cash Balance and Treasurer Reports.

Mr. Moore expressed his concerns over the 2023 treasurer report. He said a lot of the line items were over. He asked who oversees the budget? He said it needs to be looked at more carefully.

Mrs. Gates said once she can review it with him, he will have a better understanding of what happened last year. There were a couple of things that happened toward the end of the year that put the budget over. The manager said the lawsuit put us over \$11,000 and a \$30,000 payment was made in December to meet the agreement to purchase the police station. Those items were not budgeted.

Mr. Rummel said look at the -\$81,000 on the last page. Mrs. Gates said yes, we were -\$81,000 on the last page but you have to deduct your start up carry over because that income does not automatically get added in when using QuickBooks. You cannot put cash into cash

so it has to be deducted at the end. which was \$37,271.53. The unbudgeted items were the \$30,000 for the police station and the \$11,718.02 for the lawsuit. That will bring you to what the figure should have been -\$2,067.38. We will be reimbursed for the \$30,000 through a grant for the police station but that will not happen until this year 2024. Mr. Rummel said as far as line items go, it is easier for Mrs. Gates to explain it when you come in and meet with her.

Mr. Moore said there are a lot of line items under the police that are over budget. He said we should not be going over in expenses when we have a certain amount in the budget. Mr. Rummel asked Mr. Moore to give us a line item and we will go over one line item. He said education and training is over. Mr. Allison asked if that would be from the SRO training.

Mayor Thomas said this is the first time we've raised taxes in a couple of years. Mr. Moore said we should not have had to raise them this year. Mayor Thomas said you must provide services to the citizens. Mr. Moore said we cannot forget about the taxpayer. Dr. Ledney said he disagreed with Mr. Moore we did not forget about the taxpayer. We talked about it and there are a lot of things that go into it. For instance, the police department and their contractual raises, public works contractual raises. He agrees this is the council's job to watch the money but from Mayor Thomas' point we must make sure we provide service for the people. We must make sure everything is okay.

Mr. Moore said the budget for our police department is more than any other city? He said we are supposed to have 1.3 police per population. 1.3 times 4,000 is five. We have 16. He said Somerset has 20. He said Windber is a safe town even before we had a police department. Mayor Thomas said that was way back, society has changed. Mr. Moore said the police department is overstaffed. Manager Allison said we can't even fill all our hours. He said he needs to discuss the filling of the schedule and where the police department really is with Mr. Moore. He said we only have 4 full-time officers, and the rest are part-time officers.

Mr. Moore said we have two police officers on at a time we don't need two officers at a time. Manager Allison said we serve two other municipalities plus our own. Mayor Thomas said we are in contract with Scalp Level Borough and Paint Borough. If you have an officer in Mine 40 and one that gets a call at the other end of town, and he needs backup that is why we have two. Mr. Moore said then let's get back up from Richland. Mayor Thomas said Richland is so busy and Conemaugh Township is too far away. Chief Frear said Richland has three to four guys out a shift, so they are covered but Geistown Borough is not. They do not cover 24/7. Ferndale and East Conemaugh are also that way.

Chief Frear said currently we have 14 officers in the department. Four are full-time. Two of those full-time officers are SRO's and paid for by the school district. The other two are full-time and the rest are part-time.

Mr. Moore asked how we benefit from paying these salaries. Manager Allison said Paint Borough and Scalp Level Borough pay for their services. Mr. Rummel said we can have a workshop if the council wants to.

Mr. Rummel said if there are any questions at any time get a hold of Mrs. Gates and she can go over it with you. He did it and it helps. He told the new council to stop in and see Mrs. Gates before we decide to have a second meeting.

Mayor's Report

Mayor Thomas said Saturday December 16th he joined the Windber Veterans Association in Wreaths Across America. Together they laid around 1,000 wreaths in areas around Windber.

Last week Mayor Thomas received an email from DCED with the final documents for the \$100,000 grant towards the purchase of the building that houses the police department.

One real important note; he received notification from Representative Rigby regarding Act 15 of 2023 that ties reimbursement rates to federal Medicaid rates, for whichever amount is higher. This is for EMS service. So, because of that reimbursement for basic life support and ambulance services will increase \$325 to \$511.35 and reimbursement for ALS trips will increase from \$400 to \$607.23 or \$878 depending on the nature of the call. Hopefully this legislation will help support our struggling EMS agencies. It is a start.

Mr. Rummel explained EMS came to us and it is about the insurance companies taking a big chunk of their monies away.

Mayor Thomas told the new council members that our EMS is struggling so we did our part to help them out and that is part of the budget. We do not want to be without EMS services. Mr. Moore asked if they showed us their books before the borough gave them money. Mayor Thomas said they will do an annual audit. Mrs. Gates said they did give us a printout when they came into our office of the numbers.

Manager's Report

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 load 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 signage for a single lane bridge.* I believe this to be the best possible solution with little or no alternatives currently.

The above plan has been implemented approved by PennDOT. There is some signage that has yet to be obtained and put into place. At the 24th Street Bridge Romani property there is a piece of sewer lateral that the Borough will be taking responsibility for. EADs is drawing up the proposed plan and our Solicitor will then draw up the documents after PennDOT approves. The above has been sent to the solicitor for completion and the signs are being picked up for placement on 1/3/24.

DEP PERMIT No. 56160101: Petrunak Strip- Coal Loaders Inc. has submitted to the PA DEP an application of permit transfer from Berwind Coal Sales Company. There is a copy of this in the packet for review and comment. In the notice it advises any comments must be made by January 26, 2024, I reviewed the application, and I did not see any changes to the operation other than permit holder.

400 Block Ninth Street: A resident without a permit or plan approval did erect what appears to be in part a radio tower/antenna. A citizen complaint was received by this office. Pictures

were taken after a visit by Codes and me. They were sent with explanation to the PA Municipal Code Alliance for review. They have issued a “*Stop Work Order*” to the property owner and will update as information is received.

Zoning/Codes- Status, moving forward. (Executive Session)

DEP Permit - Manager Allison said also with this his report is a copy of a certified mailing from DEP that they received a request to transfer the permit from Berwind Coal Sales Company. Attached with that letter is a copy of the application for that permit. DEP said if we wish to comment on the adequacy of the proposed methods and facilities to control erosion and sediment, we must submit that by January 26, 2024.

Manager Allison said with the knowledge he has about the project and in looking at the application it does not look like operation has changed just the ownership. If you have any questions, you can call DEP directly.

Mr. Moore asked if the strip mines were part of our borough. Manager Allison said it is in Cambria County, but they notify everyone within the one-mile radius.

Ballroom- After numerous attempts and interviews to hire an assistant with negative results. Lauren interviewed Devin Chontas. I was unable to attend the interview and do declare he is my stepson. After the interview Lauren did make recommendation to hire him. Devin is a Windber Borough native, and his family was prior business owners in the Borough. He will be starting college this year after graduation and has committed to St. Francis University. This will not conflict with scheduling for the Ballroom as he will be primarily needed on the weekends. As a bonus He currently works at Stonycreek Township Cambria County’s Road Department and is familiar with road crew operations.

Manager Allison said some of you may have heard there was a resident that erected a communication tower and attached it to his house. The neighbor made a complaint here with the borough and PA Municipal did enact a stop work order on that.

Solicitor’s Report

Attorney Green said he continues to work on the regulations for the civil service board and hopes to have them to Chief Frear next week.

Attorney Green said he believes he knows what PennDot wants with regards to the property near 24th Street Bridge. We are taking over the maintenance etc. of that lateral.

Codes Report

There were no questions at this time.

Liaison Reports

Mr. Rummel said we need to appoint two liaisons. One is for the Fire Department, and one is for the library. Mr. Rummel said he will take the library liaison position.

Dr. Ledney said he could do the Fire Department if need be. Mr. Rummel noted that Dr. Ledney already has the Water Authority and asked if anyone else wanted to do it. Mr. Bahorik said he would be the liaison with the Fire Department. Mr. Rummel said he

appreciated Dr. Ledney's offer but he already had one and he would like to see it spread among council members.

Ballroom Report

Mr. Rummel asked if we can start financial reports for the Ballroom this year. Mrs. Gates said yes.

Mrs. Gates said Lauren is doing well with bookings. She now has 12 weddings booked which those alone will make our monthly payments on the ballroom loan. Mr. Rummel asked if she could include the 2023 bookings along with the 2024? Manager Allison said yes.

Mr. Rummel said the approval for an assistant for Lauren is not a full-time position or even really a part-time position. It is more like can you help me when I need help. Mr. Allison said yes, it mostly to help fill in when Lauren cannot be there and allow her to take a day off. Mr. Rummel said if she is out of town and needs back up that person can fill in.

Mr. Moore asked if we charge WAVE for the record hops. Mr. Rummel said they paid with a large donation. Mr. Moore asked if we charge the fire department. Mrs. Gates said yes. Mr. Bloom said they get a reduced rate. Mr. Rummel said all borough residents receive a 10% discount.

The council convened to an executive session at 7:18 p.m. for personnel and litigation matters. The council reconvened from an executive session at 7:56 p.m. from executive session.

Approval Change Status

A motion was made by Mr. LaMonaca and seconded by Mr. Bahorik to approve the change of status for Officer Joshua Vranich from a 32 to 39-hour officer to a part-time officer. One absent, Mr. Pallo. Motion carried.

Approval Resignation

A motion was made by Mr. LaMonaca and seconded by Mr. Bahorik to approve the resignation of Officer Dalton Geisel from the Windber Borough Police Department. One absent, Mr. Pallo. Motion carried.

Approval Rec. Assist.

A motion was made by Mr. LaMonaca and seconded by Mr. Bahorik to approve Devon Chontas as an Assistant Recreation Coordinator. Roll call vote: Mr. LaMonaca, yes; Mr. Bahorik, yes; Mr. Klonicke, yes; Dr. Ledney, yes; Mr. Moore, no; Mr. Pallo, absent, and Mr. Rummel, yes. Motion carried.

Next Meeting

Next meeting date will be February 12, 2024.

Adjourn

Meeting adjourned at 8:15 p.m. by Council President, Richard Rummel.

Respectfully Submitted By:

Robin S. Gates
Administrative Assistant