

**WINDBER BOROUGH COUNCIL  
MINUTES: JANUARY 15, 2010  
SPECIAL MEETING – 4:00 PM.  
FILL THE VACANCY OF MAYOR**

The meeting was called to order by President Anthony Turcato at 4:05 PM. and he led the Pledge of Allegiance to the flag.

**Attendance**

The following council members were in attendance: George Ledney, Barry Jerley, Sonya Pekala, James Spinos, Anthony Turcato, and Michael Winas. Also in attendance were Borough Manager Casey Durdines. James Furmanchik arrived at 4:10 PM.

**Public Comment on Agenda Items**

There wasn't any comment on agenda items.

Turcato apologized for the late start. He was on the phone with the Borough Solicitor discussing proper procedure for interviewing candidates for a public post. Interviews for public officials must be conducted in public; whereas public employees should be interviewed privately in executive session. The question was whether it is appropriate for the other candidates to be present when the others are being interviewed. Since there were two conflicting opinions, Turcato advised Council to have each candidate give a brief history and qualifications to hold the position and their mission for the Borough. At the conclusion of the summation each candidate may ask questions of the council. Council agreed to this procedure.

**Presentation of Candidates**

**Barry Jerley**

Jerley withdrew his candidacy for the position. He felt that the public voted him into his council seat and he should fulfill what the public wanted him to do.

**Simon Ohler**

Ohler expressed regret that Jerley withdrew his name. Ohler served recently on council and from 1992-1995 and dealt with numerous issues. His mission quite simply is to follow the Borough Code as to the Mayor's duties. He would make recommendations to Council on various issues. He would give a yearly statement to Council setting forth his goals for the Borough. He stated that the main function of a Mayor is to make sure the police department has the right equipment and people to do a good job. He will continue that effort. The late Mayor Art Palumbo left the police force in great shape. Any changes would be worked out between Mr. Rick Skiles and Ohler, and further discussed with Council. His main goal is to work closely with all factions in the Borough. He would like to see the Borough continue to grow, a task that will be very difficult in the years to come.

Thomas Geiger was called next but was not yet present in Council chambers.

### **Scott Penrod**

Penrod is the owner of the Windber Hotel. He is active in community functions such as the Cruise-ins and Thunder in the Valley. He was formerly employed as a corrections officer for Somerset State Prison. He is trained in riot control and in this position worked very closely with local police departments. His mission for the Borough is to keep as many people coming through the Borough as possible. The more people that come to Windber; the more opportunities there are for businesses to prosper and grow. He also advocates going outside the Borough for joint ventures with other municipalities. He attends most council meeting and is very active and outspoken on issues. This community is his home and he cares very deeply about it.

Turcato stated that Mr. Geiger is on his way. In the interim we will proceed with recognition of visitors.

### **Recognition of Visitors**

#### Andy Kondas

- Contacted PennDot District 9 with regards to the right-of-way on Railroad St. The right-of-way is thirty-three (33) feet. The will get back to him.
- He spoke to people from DEP in Greensburg regarding the air quality. They are going to send an inspector here to check out the street. They said that in the past they have required coal mines to install a wheel wash to minimize the dust.
- He is making some progress and he will continue to work on these issues. He represents many people from Railroad St.

While waiting for the arrival of Mr. Geiger. Turcato called for an executive session to discuss a contractual matter. Council went into executive session at 4:15 PM.

Council returned from executive session at 4:38 PM at which time the meeting was reconvened.

### **Candidate for Mayor Thomas Geiger**

He has been involved in the community for the last six or seven years. Council should be familiar with most of the things he has been involved with being that he is a former council member. He is actively involved with the Veteran's Association. He hopes to be actively involved with Council to better the community.

Furmanchik made a motion to appoint Scott Penrod as Mayor. Motion was seconded by Spinos. Roll call vote for Scott Penrod. Yes: Furmanchik, Jerley, and Spinos. No: Ledney, Pekala, Turcato, and Winas. Motion defeated.

Jerley made a motion to appoint Thomas Geiger as Mayor. Motion was seconded by Spinos. Roll call vote for Thomas Geiger. Yes: Jerley, Spinos, and Furmanchik. No: Ledney, Pekala, Turcato, and Winas. Motion defeated.

Pekala made a motion to appoint Simon Ohler as Mayor. Motion was seconded by Winas. Roll call vote for Simon Ohler. Yes: Pekala, Winas, Ledney, and Turcato. No: Furmanchik, Jerley, and Spinos. Motion passed. Ohler appointed Mayor.

Judge Joseph Cannoni proceeded to swear in Simon Ohler as Mayor of Windber Borough.

With no further comment from the audience Turcato adjourned the meeting at 4:44 PM.

Respectfully submitted,

Fred Oliveros  
Borough Secretary