

Windber Borough Council
Minutes: January 4, 2009

The Reorganization Meeting of the Windber Borough Council was called to order at 7:00 PM. by Acting Mayor Anthony Turcato

Pledge to Flag

The following council members were in attendance: James Furmanchik, George Ledney, Barry Jerley, Sonya Pekala, James Spinos, Anthony Turcato, and Michael Winas. Solicitor Jeff Berkey was also in attendance.

Before the nominations began Furmanchik questioned Berkey as to whether a nominee can vote for themselves. Berkey assured him that this is permitted.

Nomination of Council President

Acting Mayor Turcato opened the floor for nominations for Council President. Michael Winas nominated Anthony Turcato. Motion was seconded by Sonya Pekala. There weren't any further nominations. Roll call vote for Anthony Turcato. Yes: Turcato, Pekala, Ledney, Winas and Jerley. No: Furmanchik and Spinos. Turcato was elected Council President and began presiding over the meeting.

Turcato asked if there was any public comment on agenda items. Kelly Campitell indicated that the Municipal Authority had several requests of Council that are not part of the agenda for consideration regarding membership of the Authority. Turcato said consideration would be given to these requests upon completion of the regular agenda items. Turcato resumed with the nomination of officers.

Nomination of Vice President of Council

Turcato opened the floor for nominations for Vice-President. George Ledney nominated Sonya Pekala. Motion was seconded by Michael Winas. There weren't any further nominations. Roll call vote for Sonya Pekala. Yes: Furmanchik, Ledney, Jerley, Pekala, Spinos, Turcato, and Winas. Pekala was elected Vice President.

Ledney declined nominations for President and Vice-President in consideration to Turcato and Pekala who desired to continue in those respective offices.

Nomination of President Pro-temp of Council

Turcato opened the floor for nominations for President Pro-temp. The President Pro-temp would preside over the council meeting in absence of both the President and Vice-President of Council. Michael Winas nominated George Ledney. Motion was seconded by Sonya Pekala. Roll call vote for George Ledney. Yes: Furmanchik, Ledney, Jerley, Pekala, Spinos, Turcato, and Winas. Ledney was elected President Pro-temp.

Appointment of Borough Treasurer

Sonya Pekala made a motion to appoint Debra Herbert of the firm of Herbert CPA & Associates as Borough Treasurer. Motion was seconded by George Ledney. Roll call vote: Yes: Ledney, Pekala, Turcato, and Winas. No: Furmanchik, Jerley and Spinosa. Motion carried.

Appointment of Borough Secretary

Sonya Pekala made a motion to appoint Fred Oliveros as Borough Secretary. Motion was seconded by George Ledney. Spinosa inquired as to what were the duties of the Borough Secretary. Solicitor Berkey gave a brief enumeration as to these duties. Roll call vote: Yes: Furmanchik, Jerley, Ledney, Pekala, Spinosa, and Turcato. No: Winas. Motion carried.

Appointment of Banking Institutions

Sonya Pekala made a motion to approve First Commonwealth Bank, First National Bank, Slovenian Savings & Loan, and AmeriServ Bank as the banking institutions for the Borough. Motion was seconded by George Ledney. All council members in attendance voted yes. Motion carried.

Appointment of Solicitor

Sonya Pekala made a motion to appoint Jeff Berkey of the firm of Fike, Cascio and Boose as the Borough Solicitor. Motion was seconded by James Spinosa. Berkey was questioned as to whether he would be the person attending the meetings. He indicated that as long as the Borough maintains its current meeting dates he would be able to attend the meetings. All council members in attendance voted yes. Motion carried.

Appointment of Auditor

Barry Jerley made a motion to appoint Dennis Kotzan CPA and his firm as the auditor for the Borough. Motion was seconded by Sonya Pekala. All council members in attendance voted yes. Motion carried.

Approval of Meeting Dates

Sonya Pekala made a motion to retain the second and third Tuesday of each month at 7 PM as the days and time of the regular Borough Council meetings. Motion was seconded by George Ledney. All council members in attendance voted yes. Motion carried.

Approval of Resolution 2010-01 Tax Anticipation Note.

Sonya Pekala made a motion to approve Resolution 2010-01 for the Tax Anticipation Note with Slovenian Savings and Loan. Motion was seconded by George Ledney. All members in attendance voted yes. Motion carried.

Municipal Authority Membership

Turcato read a letter from Toni Gray requesting that membership on the Authority be increased from five (5) members to seven (7) members. There can be a minimum of five (5) but there is no maximum set forth according to their Attorney William Seger. Solicitor Berkey maintained that membership numbers should be addressed in the charter of the Municipal Authority. They should amend their rules to allow for additional numbers of members.

Turcato read a letter from Toni Gray requesting that Kelly Campitell be appointed to the Authority for a term of five (5) years. A motion was made by Pekala to approve the appointment. Motion was seconded by Furmanchik. Motion passed unanimously by voice vote.

Turcato read a letter from Toni Gray requesting that Gail Ankeny Gaio be appointed to the Authority for a term of five (5) years. A motion was made by Furmanchik to approve the appointment. Motion was seconded by Pekala. Motion passed unanimously by voice vote.

Spinosa questioned as to since a Recreation budget was not passed, where is the Municipal Authority getting the money to operate? Turcato and Berkey maintained that it is customary for an Authority to borrow funds to operate from either a lending institution or from the Borough with the understanding that the funds would be paid back. Concern was also expressed by Spinosa that if the recreation program did not make it under the supervision of the Authority, would it revert back to the Borough? Berkey indicated that return of the program to the Borough should be specified in the wording of the recreation agreement with the Authority.

Since there is concern about recreation funding, Turcato called for a special meeting of council to be held before the regular meeting of council on January 12, 2010 at 6 PM. to discuss the recreation budget. Members of the Municipal Authority may attend since all meetings are opened to the public.

There weren't any visitors who wished to be recognized and Turcato adjourned the meeting at 7:43 PM.

Furmanchik reminded council that nothing has been mentioned regarding filling the vacant position of Mayor and asked Turcato to re-open the meeting. The meeting was re-opened at 7:44 PM.

Filling of the Vacancy of Mayor

Furmanchik made a motion to advertise for candidates wishing to fill the position of Mayor in the interim until the next municipal general election, approximately two (2) years. Motion was seconded by Spinosa. Motion passed unanimously by voice vote.

There was no further business to discuss and the meeting was adjourned by Turcato at 7:45 PM.

Respectfully Submitted by,

Fred Oliveros
Borough Secretary