



**Ebensburg Borough Council Meeting**  
**Monday, November 28, 2016**  
**6:30 p.m.**

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**Borough Council**  
Doug Tusing, President  
Susan Barber, Vice-President  
John Cobaugh  
Cecilia Houser  
Theresa Jacoby  
Dave Kuhar  
Joe Miller  
**Mayor**  
Randy Datsko

**AGENDA**

**CALL TO ORDER & PLEDGE OF ALLEGIANCE**

**PUBLIC COMMENTS**

*Members of the public are invited to comment at this time on any item appearing on the agenda.*

**1. CONSENT AGENDA**

*All items listed on the Consent Agenda are considered to be routine and will be acted upon by a single motion. There will be no separate discussion of these items unless members of the Council request specific items to be removed for separate action.*

Item 9A: Approve the minutes of the October 24, 2016 regular monthly meeting of Borough Council.

Item 9B: Approve the Financial Statement.

Item 9C: Approve payment of bills.

Recommended Action – Approve the consent agenda.

**2. APPOINTMENTS TO ADDRESS COUNCIL**

**3. MAYOR'S REPORT**

**Item 3A: Report on Police Department**

**4. COUNCIL PRESIDENT COMMENTS**

**Item 5A: Report from Severn Trent Services on Wastewater Plant Operations**

Plant Supervisor Bernie Kozlovac will provide a verbal report on projects and activities at the wastewater plant during the month.

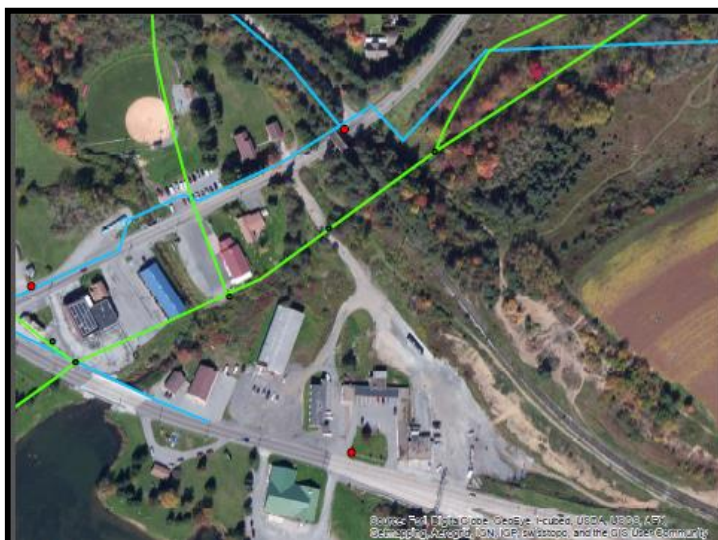
Recommended Action – No action required.

- \* **Item 5B:** Beech Street Stormwater Project  
Snyder Excavating will return to the project as soon as their schedule allows.

Recommended Action – No action required.

**Item 5C: Holding Tank Ordinance**

A land development application for a new NAPA store east of Lake Inn on Rowena Drive is under consideration by the planning commission. The proposal will include the use of a holding tank for sewage. A holding tank cannot be approved by the county sewage enforcement agency unless there is an Ordinance in place that specifically allows for holding tanks. Ordinance #633 is proposed to allow for holding tanks.



Ordinance #633 was granted tentative approval last month, was advertised for public inspection, and is ready for final adoption.

Recommended Action - Grant final approval to Ordinance #633, allowing holding tanks within the borough.

**Item 5D: Wastewater Ordinance**

Ordinance #412 of 1989 established rules and regulations applicable to wastewater services. The Ordinance has never been updated to conform to the Rules and Regulations adopted from time to time by the Ebensburg Municipal Authority. Ordinance #412 should be repealed in its entirety and replaced with a new Ordinance that simply references the latest edition of rules and regulations duly adopted by the Authority.

Ordinance #631, adopted in September 2016, addresses the rules and regulations specifically applicable to connections, but does not address the remainder of the rules and regulations adopted by the Authority.

This was addressed in the same manner for the water system rules and regulations by Ordinance #582 of 2010. Pennvest required the change then when a new water system loan was obtained, and will require that the same be done to the wastewater Ordinance when funding is applied for in 2017.

Recommended Action - Grant tentative approval to Ordinance #636, repealing Ordinance #412 and adopting wastewater rules and regulations as duly adopted by the Ebersburg Municipal Authority, and advertise for public inspection.

**6. RECREATION COMMITTEE** **Barber & Jacoby**

**7. STREET COMMITTEE** **Cobaugh, Miller & Houser**

**8. ADMINISTRATION COMMITTEE** **Barber, Jacoby & Kuhar**

**Item 8A: 2017 Annual Budget**

The 2017 budget was presented to Council last month, and has been advertised for public inspection. The 2017 Operating Budget calls for revenues of \$5,651,830 and expenditures of \$5,569,480. The general fund budget is balanced with no increase in real estate taxes.

	Revenues	Expenditures	Surplus
General Fund Budget	\$2,000,230	\$1,943,910	\$56,320
Water Fund Budget	\$1,555,500	\$1,540,540	\$14,960
Wastewater Fund Budget	\$1,866,100	\$1,855,030	\$11,070
Stormwater Fund Budget	<u>\$ 230,000</u>	<u>\$ 230,000</u>	<u>\$ 0</u>
Total Operating Fund	\$5,651,830	\$5,569,480	\$82,350

	2016	2017	Change
General Fund Budget	\$1,807,780	\$1,943,910	7.53%
Water Fund Budget	\$1,545,900	\$1,540,540	-0.35%
Wastewater Fund Budget	\$1,515,430	\$1,855,030	22.41%
Stormwater Fund Budget	<u>\$ 230,000</u>	<u>\$ 230,000</u>	<u>0%</u>
Total Operating Fund	\$5,099,100	\$5,569,480	9.22%

Recommended Action – Grant final approval to the 2017 annual budget.

**Item 8B: Tax Ordinance**

An Ordinance is required each year to establish the real estate tax for the coming year. Ordinance #632 was tentatively adopted last month, has been advertised for public inspection, and is ready for final approval.

Recommended Action - Grant final approval to Ordinance #632, establishing the 2017 real estate tax.

**Item 8C: 2016 Salary Adjustment**

The Department of Labor increased the Federal minimum annual salary to \$47,476 effective 12/1/2016. This new regulation requires that the salaries of Recreation Director and Community Development Director be adjusted so as to be compliant with the new DOL regulations. Should the subject regulation be amended or repealed at any time in the future, Council reserves the right to further amend the salaries for these two positions.

Recommended Action – Adopt Resolution #2016-13 adjusting the salaries of the Community Development Director and Recreation Director, effective 12/1/2016.

**9. GENERAL BUSINESS**

- \* Item 9A: Minutes of Previous Meeting(s)  
The minutes of the previous regular meeting are presented for Council review and approval.

Recommended Action – Approve the minutes of the previous meeting(s).

- \* Item 9B: Financial Statement  
The financial statement for October 2016 is presented for approval.

Recommended Action – Approve the October 2016 financial statement.

- \* Item 9C: Bills  
A list of bills totaling \$378,421.02 is submitted for approval.

Recommended Action – Approve payment of the bills as submitted.

**Item 9D: 2017 Fee Resolution**

A Resolution is required each year to establish fees to be charged for various services for the coming year. The following are the changes for 2017.

1. The contractual garbage fee will increase 5.7% in 2017. The customer rate is adjusted to cover that increase. The fee will increase from \$17.85/mo. to \$18.95/mo.
2. The fee approved last winter for water line thawing has been included. The first visit is free. Subsequent visits are \$35/manhour with a minimum \$55 charge.
3. A fee of \$150 for replacement of a water meter damaged by a customer is added.
4. A fee of \$150 for replacement of a water meter MXU damaged by a customer is added.

Recommended Action – Adopt Resolution #2016-15 establishing the fees to be charged in 2017 for various purposes.

- \* Item 9E: Upcoming Meeting  
Make it a matter of record that the December meeting will be held on Monday, December 19, 2016.

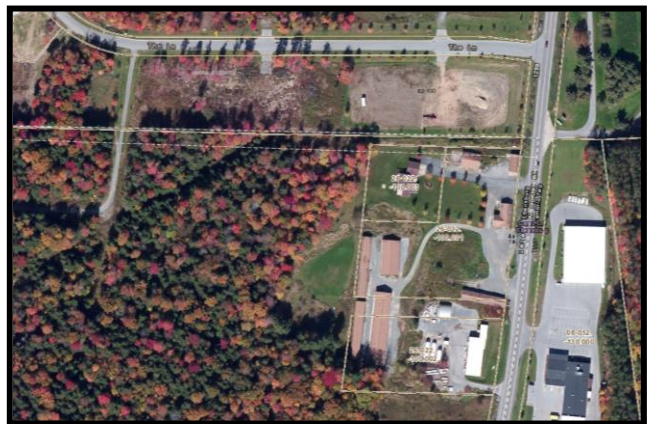
Recommended Action – No action required.

**Item 9F: North Center Street Property**  
Ebensburg Borough owns a 125-acre parcel on the west side of Center Street, north of the fairgrounds. The parcel includes a 50' x 400' section that connects the parcel to North Center Street, through frontage owned by Zane Bianucci. Over the years, parts of four storage unit buildings and another structure have been constructed on the borough-owned property.



Mr. Bianucci is considering selling his property, and wishes to first acquire the 50' x 400' section in order to clear up the boundary line issues with the buildings.

There is another access road to the main parcel from The Lane in Emerald Estates. However, that access road crosses 200 feet of property owned by Emerald Estates, and no easement exists for that access route. In addition, that access road involves two stream crossings.



The borough-owned parcel has more than 900 feet of frontage on North Center Street, but Center Street is on a grade for most of that frontage. In addition, the property itself drops away from Center Street as one gets closer to town. The grade issues will greatly restrict alternative access routes to the 125 acres. For future access road construction and PennDOT visibility, the best location for an access road is the current 50' section, or something close by.

Staff is suggesting that a trade of properties might be the best solution. Council might wish to consider trading the 50' section in question for an equal 50' section on the south edge of the Bianucci property. Mr. Bianucci currently has a driveway on that section. With an easement approved by the borough, Mr. Bianucci could continue to maintain his driveway on that section. If a road is constructed in the future, Mr. Bianucci's driveway would simply intersect with that new road.

Selling a parcel of property will require an appraisal and bidding. The Solicitor should be

consulted about the procedure for trading equal parcels.

Several photos and aerial views of the property in question have been provided to Council in the packet.

Recommended Action – Dependent on discussion.

**Item 9G: Wayfinding Signs**

Staff recommends replacing the current blue wayfinding signs throughout town with new decorative signs. The old signs are not decorative at all. A nicer design was noticed in Carlisle Borough. The new signs will have the borough's logo at the top, be the same color as Carlisle's, and better suit the downtown. A total of twenty new signs would be installed along High Street and Center Street. The Main Street Partnership has agreed to pay for half of the project cost.



Recommended Action – Approve the purchase of twenty wayfinding signs from FastSigns of Mechanicsburg in the amount of \$6,700.

**Item 9H: Downtown Flowers**

In 2016, sixteen hanging flower baskets were installed on eight street light poles in the center of town. Staff wishes to install additional baskets along the first block in all four directions. The cost of the project is \$6,700. The Main Street Partnership has agreed to pay for half of the project cost, and the annual cost of the flowers. Partnership members also plant the flowers each year. The borough's summer crew handles watering during the summer.



Recommended Action – Approve the purchase of thirty-two hanging baskets from Planters Unlimited in the amount of \$6,700.

**Item 9I: Backhoe**

A replacement backhoe is in the 2017 capital budget. Staff suggests ordering the new machine before yearend when a price increase is scheduled. The new machine will not be delivered before spring.

The Public Works staff prefers to replace the backhoe with an excavator. They feel an excavator would be more beneficial for the type of line work that we perform, especially considering the amount of



Backhoe vs. Excavator

upcoming sewage work that we will be involved with. An excavator is on tracks rather than wheels, can operate in closer quarters, and does less property damage (no wheels/outriggers). The disadvantage of an excavator is that it must be hauled to every site rather than driven.

A new backhoe will cost \$86,500 under the State contract. An excavator will cost \$94,900 under the State contract. Staff recommends that the excavator be purchased. The old backhoe will be sold, and is expected to be worth \$15,000 or more.

Recommended Action – Approve the purchase of a Case excavator from Groff Equipment for \$94,900.

**Item 9J: Master Gardeners**

Master Gardeners are volunteers trained by the Penn State Extension. Once they complete their training, Master Gardeners help Extension better serve the home gardening public by answering questions, speaking to groups, working with 4-H gardening projects, maintaining demonstration gardens, teaching plant sciences and horticulture, writing gardening articles, and many other ways. Master Gardeners educate individuals and groups on topics such as vegetable and flower gardening, plant selection, composting and soil health, controlling pests safely, pollinator gardening, pruning, and more. There is a Master Gardener program in 62 of Pennsylvania’s 67 counties, including Cambria County.

The gardeners were searching for a small parcel on which to establish a community garden. They wish to open gardening space to the community, give guidance and researched-based education, and hold classes.

The Borough owns a parcel (appx. 14,300 sq. ft.) along Ann Street between the basketball courts and the YPCC that could be used for such a purpose.



Recommended Action – Make it a matter of record that the Master Gardeners are authorized to use a borough-owned parcel on Ann Street for a community garden.

**10. DEPARTMENT REPORTS**

**Item 10A: Police Department**

Chief Wyland will provide a verbal report on the police department’s activities during the month.

**Item 10B: Public Works Department**

Public Works Director Jeff Evans will provide a verbal report on the public works department's activities during the month.

**Item 10C: Community Development**

Community Development Director Danae Koss will provide a verbal report on the community development department's activities during the month.

**Item 10D: Recreation Department**

Recreation Director Samantha Kemock will provide a verbal report on the recreation department's activities during the month.

\* Item 10E: Codes Enforcement

A monthly codes enforcement report was forwarded to Council.

\* Item 10F: Ebensburg Municipal Authority

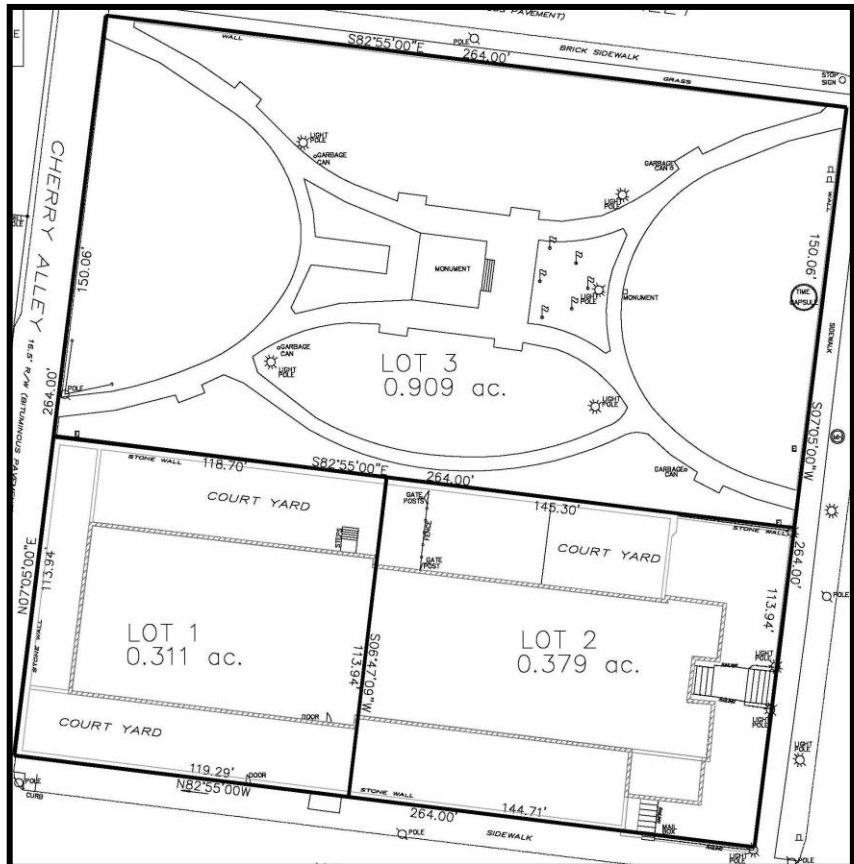
A copy of the minutes of the last municipal authority meeting is included in Council's packet.

**Item 10G: Ebensburg Planning Commission**

**1) Former Prison**

In September 2014, Council approved a subdivision of county property containing Veterans Park and the former prison. That subdivision separated Veterans Park into its own parcel. It also split the area occupied by the former prison into two separate parcels. The front parcel was intended to be sold, while the rear would be retained by the county for continued use as a records center.

That plan has since changed, and the entire prison building is being sold as a single parcel. Therefore, it is necessary to reverse that portion of the approved subdivision, and again merge those two parcels on which the former prison is situated.



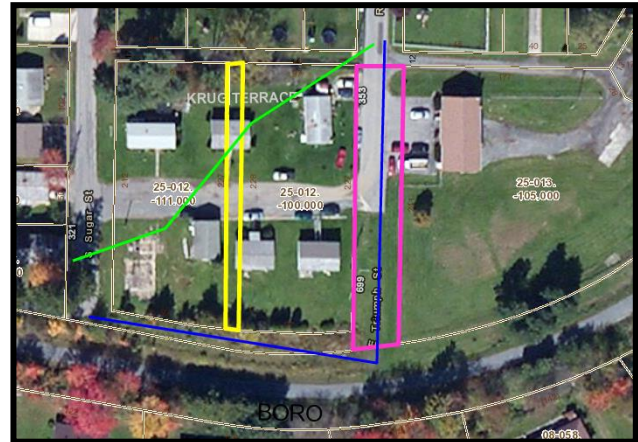


Recommended Action – Grant approval to the lot merger of two parcels on which the former Cambria County Prison is situated.

**2) Precision Business Expansion**

Precision Business Solutions, located at 302 Reddinger Street, has acquired the property across Reddinger Street, situated between Sugar Street and Reddinger Streets. There are two existing parcels divided by an unopened alley. Mr. Shrift of Precision Business wishes to expand his business onto those two parcels. He wishes to combine those two parcels with his business parcel. The proposed lot merger was discussed last month by Council.

Council agreed to waive interest in the unopened alley between the two parcels (yellow). Council also granted tentative approval to Ordinance #634 abandoning the southern end of Reddinger Street (pink). Further, Council granted tentative approval to Ordinance #635 amending the zoning map by extending the Mixed Use-Village Commercial zone to Sugar Street.



A public hearing relative to the proposed zoning map amendment was conducted prior to tonight's Council meeting. Assuming there are no changes to the proposal, both ordinances are ready for final adoption.

The water and sewer utility lines on the involved parcels have been protected by easement described in the lot merger plan.

Recommended Action #1 – Grant final approval to Ordinance #634, vacating the portion of Reddinger Street.

Recommended Action #2 – Depending on the outcome of the public hearing held prior to this meeting, grant final approval to Ordinance #635, amending the Zoning Map to extend the current boundary of the Mixed Use-Village Commercial zone from Reddinger Street to Sugar Street.

Recommended Action #3 – Grant final approval to the PBS lot merger.

\* Item 10H: Ebensburg Zoning Board – No activity

## **11. MEDIA COMMENTS/QUESTIONS**

*Representatives of the media are invited to comment and ask questions at this time on any issues, whether or not on the agenda.*

## **12. PUBLIC COMMENTS**

*Members of the public are invited to comment at this time on any issues, whether or not on the agenda.*

## **13. ADJOURNMENT**

*Copies of all staff reports and documents subject to disclosure that relate to any item of business referred to on the agenda are available for public inspection the Thursday before each regularly scheduled meeting at the Borough office, located at 300 West High Street, Ebensburg, Pa. Any documents subject to disclosure that are provided to members of the Borough Council regarding any item on this agenda are available for public inspection at the Borough office or at [www.ebensburgpa.com](http://www.ebensburgpa.com).*

*In accordance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, please contact the Borough office (814) 472-8780 or [eburg@ebensburgpa.com](mailto:eburg@ebensburgpa.com). Notification 48-hours before the meeting will enable the Borough to make reasonable arrangements to ensure accessibility to this meeting.*