

The regular monthly meeting of the Ebensburg Borough Council was called to order on Monday, December 18, 2017 at 6:30 p.m. at the Ebensburg Municipal Building, 300 W. High Street, Ebensburg, by Council President Doug Tusing.

Present: Doug Tusing, President
Susan Barber, Vice President
Dave Kuhar
John Cobaugh
Theresa Jacoby
Joe Miller
Cecilia Houser

Others: Randy Datsko, Mayor
Terry Wyland, Chief of Police
Jeff Evans, Public Works Director
Daniel Penatzer, Borough Manager
Danea Koss, Community Development Director
Dirk Johnson, Recreation Director
Blair Pawlowski, Solicitor
Josh Byers, The Mountaineer-Herald
Jocelyn Brumbaugh, The Tribune Democrat
Sean Sauro, The Altoona Mirror

Audience: 1

A. The Pledge of Allegiance was recited.

B. **Public Comments** – Mr. Tusing confirmed with Josh Byers that the meeting was being recorded.

C. **Consent Agenda**

Mr. Miller made a motion to approve the consent agenda containing the following items. (Jacoby) Motion passed unanimously.

1. Approve the minutes of the November 27, 2017 regular monthly meeting of Borough Council.
2. Approve the Financial Statement and quarterly transfers.
3. Approve payment of the bills.

D. **Appointment to Address Council** – None.

E. **Mayor's Report** – Mayor Datsko wished everyone a Merry Christmas and reminded everyone not to drink and drive.

F. **Council President** – Mr. Tusing reported that the reorganization meeting would take place on Tuesday, January 2nd at 6:30 pm, and Mr. Scot May would be sworn in. He added that this was the final meeting for Mr. V. Joseph Miller and thanked him for his service and active

participation on the streets committee. He wished him a happy retirement from Council and presented him with a gift. Mr. Miller thanked Council and the people of Ebensburg for the privilege of serving on Council for the 12 years.

G. Water/Wastewater Committee

Mr. Mark Wirfel, plant supervisor, provided a written report of plant activities. The new name of Inframark will take effect January 1st.

1. **Wastewater Project Update** – Mr. Kuhar shared that final notices were mailed to the property owners where an easement is required for the upcoming project. Condemnation proceedings will be filed for any properties for which an easement has not been received by January 8th. The project has been advertised for bids with bids due on January 15th.
2. **Agreement of Lease Amendment and Loan Guaranty** – Mr. Kuhar reported that PENNVEST has approved a loan for 100% of the sewer project in the amount of \$9 million. The loan is for 25 years, with 1% interest for the full term. It is necessary for the Borough to guarantee the PENNVEST loan. In accordance with the Unit Debt Act, Council granted tentative approval last month to Ordinance #639 adopting a Guaranty Agreement. The Ordinance references the required guaranty agreement, promissory note, debt statement, and borrowing base certificate.

The Ordinance also amends the Lease Agreement between the Borough and Municipal Authority to reflect the new loan.

Mr. Kuhar made a motion to grant final approval to Ordinance #639 authorizing a PENNVEST loan guaranty in the amount of \$9,000,000 on behalf of the Ebensburg Municipal Authority for a wastewater system improvement project, and revisions to the Lease Agreement. (Jacoby) Motion passed unanimously.

3. **Bridge Loan** – The Municipal Authority will require a short-term bridge loan, in the amount of \$1 million, in order to pay project expenses while waiting on PENNVEST reimbursement

Mr. Kuhar made a motion to grant final approval to Ordinance #640 authorizing a bridge loan guaranty in the amount of \$1,000,000 on behalf of the Ebensburg Municipal Authority for a wastewater system improvement project. (Cobaugh) Motion passed unanimously.

4. **Operating Agreement** – Mr. Kuhar reported that in addition to the Lease Agreement between the Borough and the Municipal Authority, there exists an Operating Agreement. The Operating Agreement is what appoints the Borough as the managing

and operations agent for the water and sewer systems, and establishes the fees paid to the Borough for those services.

One of the changes to the Lease Agreement previously approved was the addition of references to stormwater responsibilities. Those same changes should be made to the Operating Agreement.

The previous fees were \$115,000 for water and \$70,000 for sewer, or a total of \$185,000. When stormwater responsibilities were added a few years ago, a fee of \$16,000 was added. The Agreement should be updated to include that additional fee, or a total now of \$201,000 annually.

Mr. Kuhar made a motion to approve the amended Operating Agreement between Ebsenburg Borough and Ebsenburg Municipal Authority. (Barber) Motion passed unanimously.

H. Recreation Committee – None.

I. Street Committee – None.

J. Administration Committee

1. 2018 Annual Budget

Ms. Barber reported that last month Council granted approval to the 2018 Operating Budget, which called for revenues of \$5,698,970 and expenditures of \$5,633,840. She added that the budget is balanced with no increase in real estate taxes, and has been advertised for public inspection.

Ms. Barber made a motion to grant final approval to the 2018 annual budget. (Houser) Motion passed unanimously.

2. Tax Ordinance

Ms. Barber stated that an Ordinance is required each year to establish the real estate tax for the coming year. Ordinance #638 was granted tentative approval last month and has been advertised for public inspection.

Ms. Barber made a motion to grant final approval Ordinance #638, establishing the 2018 real estate tax. Motion passed unanimously. (Kuhar) Motion passed unanimously.

3. Salary Resolution

Ms. Barber reported that a salary Resolution is adopted each year to establish the wages to be paid to borough employees, as recommended by the administrative committee, reviewed by last month with Council, and included in the 2018 budget. AFSCME

receives a 2% increase while the FOP agreement has a 2.5% increase. All non-union staff have a 2.0% increase.

Ms. Barber made a motion to adopt Resolution #2017-07 establishing wages for 2018.

4. Full-time Police Position

Ms. Penatzer reported that there were eleven applications received for the full-time police position. The advertisement did not include notice of the residency requirement (10 air miles). After notice was issued to the applicants, two withdrew, and the application fees were refunded. The written test was administered on December 13th to the remaining nine applicants. For those that pass the written test, the oral examinations will be scheduled in early January. The Civil Service Board will likely present a selection list to Council in January.

K. General Business

1. 2018 Fee Resolution

Ms. Jacoby reported that a Resolution is required each year to establish fees to be charged for various services for the coming year. The only change in 2018 is the new garbage collection contract allowing the garbage fee to be decreased from \$18.95/mo. to \$18.50/mo.

Ms. Jacoby made a motion to adopt Resolution #2017-06 establishing the fees to be charged in 2018 for various purposes. (Kuhar) Motion passed unanimously.

L. Department Reports

1. **Police Department** – Chief Wyland reported on last month’s activities including a successful Turkey Trot with around 680 participants, a great weekend for Dickens of a Christmas, which resulted in what appeared to be our largest crowd, and he reminded people who are out walking at night to wear brightly colored clothing.
2. **Public Works Department** – Mr. Evans reported on last month’s activities including delivery of the sluice gate, water delivery to the Nanty-Glo system, a water leak repair on N. Marion Street, service connection repairs where homeowner contractors have found bad taps into the mainline, repairs to laterals on Cindy Street and a new manhole. He added that leaf pick up has concluded and yard waste drop box has been put away. Street sweeper will be sent to A&H Equipment for repairs to be completed before spring.
3. **Community Development Department**
Ms. Koss reported on last month’s activities including the success of this year’s Dickens of a Christmas, the winners of the business and Courthouse decorating contests, and parade float winners and monetary donations made to the local school bands. She added that starting December 18th through January 1st, the borough was offering free two-hour meter parking.

4. **Recreation Department** – Mr. Johnson reported on last month’s activities including 67 teams registered for the winter basketball league starting January 5th, 22 swimmers signed up for lessons starting the week of January 8th, two new aerobic classes and updates from the Tennis Center.
5. **Ebensburg Planning Commission** – None.
6. **Ebensburg Zoning Board** – None.

M. Media Comments/Questions

Mr. Sean Sauro asked when the borough anticipates the bridge loan coming through and if most of the homeowners have turned in the signed easements.

N. Public Comments

Mr. Gerry McMullen mentioned that the borough did very well in getting the 1% loan rate for the full term of 25 years for the PENNVEST loan.

There being no further business Mr. Miller made a motion to adjourn. (Barber) Motion passed unanimously.

Meeting Adjourned: 6:54 PM

Minutes Recorded by: Danae Koss, Community Development Director