



Ebensburg Borough Council Meeting
Monday, May 20, 2013
6:30 p.m.

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Borough Council
Doug Tusing, President
Deborah Nesbella, Vice-President
Susan Barber
Cecilia Houser
Terry Illig
Dave Kuhar
Joe Lutz

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 April 22, 2013 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

5. WATER & WASTEWATER COMMITTEE

Kuhar

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: Water Project**

The water project was discussed in detail at the municipal authority meeting. Details will be included in the minutes of the municipal authority meeting (meeting same day).

Recommended Action – No action required.

6. RECREATION COMMITTEE

Illig, Houser & Nesbella

Item 6A: Playground Equipment

Bids were sought for new playground equipment at three sites at Lake Rowena and at the swimming pool.



Area at Lake Field for bleachers and swings



Old swing set at Lake Rowena



Old swing set and slide at Lake Rowena



Area at swimming pool for swings

The following bids were received:

Item No. Description	Yocca Business	International	Sports & Recreation	Bitting
1. Swing Set 10'	\$10,426	NB	\$6,400	\$7,660
2. Swing Seats	\$ incl	NB	\$1,500	\$2,460
3. Tot Swings	\$ 521	NB	\$ 720	\$1,040
4. Swing Bench	\$4,763	NB	\$3,200	\$5,340
5. Bleachers	\$2,108	\$1,720	\$1,900	\$2,100

Recommended Action – Award a bid to Sports & Recreation in the amount of \$11,820 for items 1-4, and to International Design in the amount of \$1,720 for Item 5 for playground equipment at the swimming pool and Lake Rowena.

7. STREET COMMITTEE	Lutz & Houser
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* Item 7A: East Ogle Street Sidewalk
 The contractor began work on his project on May 13th. Courthouse staff has been cooperating with the inconvenience.



Recommended Action – No action required.

Item 7B: Sidewalk Ordinance Amendment
 Ordinance #513 of 2003 designated the areas where sidewalks are required. It has been amended twice to reflect new sidewalks completed and planned. Ordinance #605 was proposed last month, amending it again to reflect changes already made on South Cherry Street, and plans for future sidewalk improvements.

There are two clarifications to be made, both affecting West Triumph Street. First, the description in last month’s agenda erroneously stated that sidewalks were proposed on both sides of West Triumph Street between Center Street and Marian Street. Ordinance #605 requires sidewalks on only one side of that segment of West Triumph Street, and that was the staff’s intention. Second, Ordinance #605 indicated that sidewalks would be required on the north side of that segment of West Triumph Street, when in fact they would be required on only the south side, where an old sidewalk currently exists. Only the 100 block would have sidewalks on both sides.

While this might be a minor change to the overall Ordinance, it is a significant change to those that live on West Triumph Street. Staff recommends that the proposed Ordinance be re-advertised prior to final adoption to reflect this change, as well as any other changes that Council might desire.

Recommended Action – Grant tentative approval to Ordinance #605, as amended, and advertise for public inspection.

Item 7C: Street Paving

Bids for resurfacing streets and the municipal parking lot are due on June 3rd. If the sidewalk project on Ogle Street goes faster than expected, staff may request that Council have a special meeting to award the paving bids instead of waiting until June 24th and leaving high curbs on Ogle Street well into July.

Staff has begun the preparatory work on the municipal parking lot.

Recommended Action – No action required.

8. ADMINISTRATION COMMITTEE

Barber & Lutz

Item 8A: Non-Uniform Pension Plan Restatement

Following a recent resignation of a non-vested employee, Mockenhaupt Associates realized that the non-uniform pension plan lacks language prescribing how the contributions made by the employee were to be refunded to the employee. Mockenhaupt prepared that pension amendment, and at the same time revised the document to incorporate the current requirements for “qualified” government pension plans pursuant to §401(a) of the IRS Code, including recent required amendments for the Economic Growth and Tax Relief Reconciliation Act of 2001, the Pension Protection Act of 2006, and the Heroes Earnings Assistance and Relief Tax Act of 2008.

Recommended Action – Grant final approval to Ordinance #606 restating the non-uniform Pension plan, incorporating changes relative to refunding of employee contributions and incorporating recent IRS amendments.

9. GENERAL BUSINESS

* Item 9A: Minutes of Previous Meeting(s)

The minutes of the previous meeting are presented for Council review and approval.

Recommended Action – Approve the minutes of the previous meeting.

* Item 9B: Financial Statement

The financial statement for April 2013 is presented for approval. A 12-month fund balance analysis is also included.

Recommended Action – Approve the April 2013 financial statement.

* Item 9C: Bills

A list of bills totaling \$222,453.27 is submitted for approval.

Recommended Action – Approve payment of the bills as submitted.

Item 9F: Electric Service

In September 2010, Council contracted with Champion Energy for supplying electricity on our five largest accounts. That 3-year contract will expire later this year. Energy costs are relatively low now and are expected to rise, and it is to the Borough's advantage to seek a supplier now and lock in the lower rate.

The lowest cost option secured by Smith Energy, our energy broker, is through First Energy. The cost for one year is 7.78¢/kW. Our current cost is 7.10¢ with Champion. Staff recommends that Council approve a 1-year contract with First Energy.

Recommended Action – Approve a 1-year contract for energy supply with First Energy at the rate of 7.78¢/kW, expiring December 2014.

10. DEPARTMENT REPORTS

Item 10A: Police Department

Chief Wyland will provide a verbal report on the police department's activities during the month. A written report was e-mailed to Council separately.

Item 10B: Public Works Department

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

Item 10C: Community Development

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

Item 10D: Recreation Department

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

* Item 10E: Codes Enforcement

A monthly codes enforcement report is provided in Council's mailbox.

* Item 10F: Ebensburg Municipal Authority

A copy of the minutes of today's municipal authority meeting will be distributed next month.

* Item 10G: Ebensburg Planning Commission – No activity

* 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.

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. Notification 48-hours before the meeting will enable the Borough to make reasonable arrangements to ensure accessibility to this meeting.