



Ebensburg Borough Council Meeting
Monday, September 23, 2013
6:30 p.m.

Phone: 814-472-8780
E-Mail: eburg@ebensburgpa.com
Website: www.ebensburgpa.com

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 August 26, 2013 regular monthly meeting of Borough Council.
- Item 9B: Approve the Financial Statement.
- Item 9C: Approve payment of bills. Vote to be recorded reflecting abstention by Councilor Barber on amount owed Barber Oil Company.
- Item 9F: Make it a matter of record that the Bureau of Aviation has approved a grant for obstruction removal at the airport. Award a contract in the amount of \$151,920.00 to HRI, Inc.

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 are included in the minutes of the municipal authority meeting, contained in the packet. Since all projects are nearing completion, the following is included here.

Waterline & Valve Project – This project is complete with the exception of some re-patching of streets that were dug. Several of the asphalt patches have sunk, allowing valve covers to extend above the surface where they can be struck by snow plows.

Water Treatment Plant – This project is complete with the exception of optimizing the operation of the new DAF clarifier. Before it can be brought on-line, levels of manganese need to be better controlled.

Water Meters – Nearly all residential water meters have been converted. There are 44 commercial water meters still to be changed, which are the responsibility of the customer to change. The Municipal Authority has elected to offer to change those meters for the commercial customers at no charge for labor, and at actual cost for the meter. Customers will be informed, and borough staff will accomplish those changes this fall.

SCADA Control System – The new computerized control system for the water treatment process is complete.

Recommended Action – No action required.

6. RECREATION COMMITTEE

Illig, Houser & Nesbella

Item 6A: Playgrounds

The new swing sets at all four sites have been installed.

Recommended Action – No action required.



7. STREET COMMITTEE

Lutz & Houser

Item 7A: Ordinance Amendment, Grass & Weeds

Last month Council granted tentative approval to Ordinance #606 requiring that sidewalks be kept clear of grass and weeds. The Ordinance has been advertised and is ready for final adoption.

Recommended Action – Grant final approval to Ordinance #606 prohibiting grass and weeds in sidewalk surfaces.



Item 7B: Sidewalk Design



Keller Engineers is nearing completion of the design of new sidewalks on West High Street, Rowena Drive and South Center Street. Staff will have preliminary drawings available at the meeting if Council wishes to review those.

Staff will be scheduling public meetings with the affected property owners in the near future to review the project design and to seek comment.

Recommended Action – No action required.

8. ADMINISTRATION COMMITTEE

Barber & Lutz

Item 8A: Employee Pension Plans

There are several routine actions required every year relative to the employee pension plans. The Minimum Municipal Obligation (MMO) is the amount calculated each year that is required to be deposited into each pension plan. Regulations require Council to formally approve that number by September 30th. Council must also establish the contribution rate, if any, for employees and determine how the State pension aid is to be distributed to the two pension plans.

The 2013 State Aid Unit Value is \$3,884.3586, an increase of 8.6% from the 2012 value. This year's unit value is the highest amount to-date, except for the 2011 anomaly.

The overall financial requirement of both plans has stabilized since the drastic increases of 2010 and 2011, primarily due to improved investment results. Staff recommends that the current employee contribution rates continue through 2014; 3% and 7% respectively for the non-uniformed and uniformed employees.

The chart below compares the pension costs for 2014 to the previous three years.

<u>Non-Uniformed Plan</u>				
	<u>2011</u>	<u>2012</u>	<u>2013</u>	<u>2014</u>
Financial Requirement	\$104,374	\$105,159	\$88,422	\$95,539
Employee Contributions	<u>-\$32,297</u>	<u>-\$21,881</u>	<u>-\$16,046</u>	<u>-\$18,065</u>
MMO	\$72,077	\$83,278	\$72,376	\$77,477
State Aid	<u>-\$42,042</u>	<u>-\$72,753</u>	<u>-\$46,489</u>	<u>-\$50,496</u>
Borough Share	\$30,035	\$10,525	\$25,887	\$26,981
<u>Uniformed Plan</u>				
	<u>2011</u>	<u>2012</u>	<u>2013</u>	<u>2014</u>
Financial Requirement	\$133,031	\$136,568	\$100,130	\$99,568
Employee Contributions	<u>-\$10,368</u>	<u>-\$11,542</u>	<u>-\$11,650</u>	<u>-\$11,421</u>
MMO	\$122,663	\$125,026	\$88,480	\$88,147
State Aid	<u>-\$19,116</u>	<u>-\$33,578</u>	<u>-\$21,456</u>	<u>-\$23,306</u>
Borough Share	\$103,547	\$91,448	\$67,024	\$64,841
Net Cost to Borough for Both Plans	\$133,582	\$101,973	\$92,911	\$91,822

Council is required to establish any employee contribution rate by Resolution. A Resolution is also required stating how the State Aid funding is to be distributed.

Mockenhaupt is currently completing the 2013 Actuarial Valuation Reports for the pension plans. Once completed, they will recommend whether or not the MMOs and/or the employee contribution rates should be revised. An MMO can always be revised, but must receive initial approval before September 30th.

- Action #1 - Adopt the minimum municipal obligation (MMO) calculation for the uniformed pension plan in the amount of \$88,147.
- Action #2 - Adopt the minimum municipal obligation (MMO) calculation for the non-uniformed pension plan in the amount of \$77,474.
- Action #3 - Adopt Resolution #2013-13 continuing the employee contribution rate of 3% for the non-uniformed pension plan for 2014.
- Action #4 - Adopt Resolution #2013-14 continuing the employee contribution rate of 7% for the uniformed pension plan for 2014.
- Action #5 - Adopt Resolution #2013-15 authorizing distribution of the State aid check to the respective employee pension plans.

Item 8B: Review of 2014 Annual Budget Preparation

The Manager is preparing preliminary budget numbers, and the administrative committee will compile a tentative budget for Council’s review at the October meeting. Final adoption is expected at the November Council meeting.

Recommended Action – No action required.

Item 8C: 2013 Audit

Regulations require that the auditor be designated prior to the end of each year.

Action – Adopt Resolution #2013-16 appointing Wessel & Company as auditor for 2013.

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 August 2013 is presented for approval. A 12-month fund balance analysis is also included.

Recommended Action – Approve the August 2013 financial statement.

- * Item 9C: Bills
A list of bills totaling \$654,190.95 is submitted for approval. The list of bills includes an account in the amount of \$1,612.34 payable to Barber Oil Company. An abstention will be recorded in the minutes on behalf of Councilor Barber on that particular bill.

Recommended Action – Approve payment of the bills as submitted.

Item 9D: Garage & Yard Sales

Last month Council granted tentative approval to Ordinance #607, defining what is considered to be a garage sale; limiting the frequency and hours; limiting the number, size and location of signs; and requiring that signs be removed immediately after the sale. The Ordinance has been advertised and is ready for final adoption.

Recommended Action – Grant final approval to Ordinance #607, replacing the Garage Sale Ordinance.



Item 9E: Comcast Franchise Extension

Our cable television franchise agreement expires December 2014. The Cable Act outlines the time frames to be followed for negotiation of contracts, and Comcast submitted a proposal as required by the Act. There is not a great deal that is negotiable in today's franchise agreements. We already receive the maximum percentage of gross revenues allowed under the Act (5% = approximately \$56,000 annually).

Currently the borough receives free basic cable service at all municipal-owned buildings and emergency services. Comcast has agreed to include free Internet service to one building. That will result in a savings of \$115/mo. Comcast does not wish to include the expanded free service in the franchise agreement, but prefers a side agreement for that benefit.

The franchise agreements are always for ten years, but it starts from the date of signing and not from 2014.

Recommended Action – Renew the Cable System Franchise Agreement with Comcast for cable service, and a side agreement providing free Internet service at the municipal building.

* **Item 9F: Airport Grant**

The Bureau of Aviation has approved a grant (\$261,250 Federal, \$6,875 State, \$6,875 Local) for obstruction removal at the airport. The local match will be provided by RACRA.

Kimball & Associates, on behalf of RACRA and the Borough, advertised for bids for the project. No bids were received during the first solicitation. A bid tab is included in Council's packet for the second solicitation. The low bid is nearly triple the project estimate. Council is also provided with a letter addressed to Mr. Kolesar at the Bureau explaining the bid process, satisfaction of the DBE requirement, and reasons for the bid being higher than expected. The grant amounts listed above were adjusted to cover the higher project costs.

Recommended Action – Make it a matter of record that:

1. The Bureau of Aviation has approved a grant for obstruction removal at the airport.
2. Award a contract in the amount of \$151,920.00 to HRI, Inc.

Item 9G: Tree Bids

Bids were sought for street trees along East Ogle Street next to the courthouse, and to replace existing trees that are either dead or damaged. The following bids were received.

Schichtel's Nursery	Springville, NY	\$1,880.00
Eisler Nurseries	Butler, PA	\$2,105.00

Recommended Action – Award a contract to Schichtel's Nursery in the amount of \$1,880.00 for the purchase of street trees.

Item 9H: Welcome Signs

The new welcome sign at Mylo Park has been landscaped. The American Legion has agreed to fund construction of a third welcome sign along the Route 422 entrance to Ebensburg. The project will be budgeted in spring 2014.

Recommended Action – No action required.



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 Danae 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.

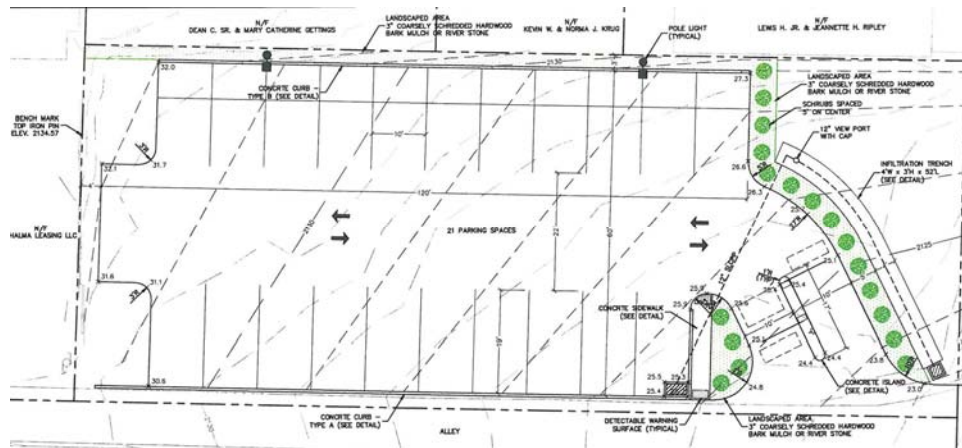
* Item 10F: Ebersburg Municipal Authority

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

* Item 10G: Ebersburg Planning Commission

1) Nulton Land Development

The planning commission granted tentative approval to a land development at 309 West High Street. Nulton Properties intends to construct a parking lot on the site. The zoning hearing board will consider a request for variances relative to parking at a September 25th hearing.



Recommended Action – Grant final approval to the Nulton land development plan, subject to approval by the Ebersburg Zoning Board of variances sought relative to parking.

2) West High Street Bridge

The planning commission reviewed plans for the replacement of the West High Street bridge near Sheetz.

3) Former Prison

The planning commission reviewed preliminary conceptual sketches of projects proposed at the former Cambria County prison on North Center Street, including the subdivision of the parcel and building.

* Item 10H: Ebersburg 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.