



Ebensburg Borough Council Meeting
Monday, August 25, 2014
6:30 p.m.

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

Borough Council
Doug Tusing, President
Susan Barber, Vice-President
Cecilia Houser
Theresa Jacoby
Dave Kuhar
Joe Lutz
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 July 28, 2014 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: Stormwater Credit Policy

The Credit Policy was jointly adopted in July by the Authority and Borough Council. Both boards included revisions lifting the 40% credit restriction and limiting the available credits for those benefitted by the 30 ERU cap.

Borough Council suggested one additional revision, allowing for credits normally provided to single-household parcels to be afforded to parcels that were once single-household but are now used for a non-residential purpose. The Authority has also approved that change.

The Credit Policy illustrating all three revisions is provided for review.

Recommended Action – Approve the revised Stormwater Program User Fee Credit Manual.

Item 5C. Ordinance #613, Conveying Property to Authority

Ordinance #613 transfers all stormwater facilities to the municipal authority, in the same way that all water and wastewater facilities were transferred in the past. Like the water and wastewater facilities, the stormwater facilities will be leased back to the Borough, under a separate document, for operation and maintenance. The Ordinance has been advertised for public inspection and is ready for final adoption.

Recommended Action – Grant final approval to Ordinance #613 transferring all stormwater facilities to the Ebensburg Municipal Authority.

* Item 5D. Water Tank Painting

By meeting night, the painting of the high water tank on Hillcrest Drive will likely already be completed, and refilling of the tank will have already begun. The painting, and the installation of new control valves at the tank, all went as planned without service interruption to the customers.

Recommended Action – No action required.



7. STREET COMMITTEE

Lutz, Miller & Houser

Item 7A: Street Paving

New Enterprise began street resurfacing on August 19th. The daily pop-up showers were slowing progress.

Recommended Action – No action required.



8. ADMINISTRATION COMMITTEE

Lutz, Barber & Jacoby

Item 8A: AFSCME Contract

The administrative committee has reached a tentative agreement with AFSCME relative to renewal of the collective bargaining agreement that expires at the end of 2014.

- 1) For all new hires, effective August 2014:
 - a. Vacation will be capped at 3 weeks after 11 years of service (currently 4 weeks after 14 years).
 - b. Healthcare coverage will be provided for employee-only; not dependents. Employee contribution remains at 15%.
- 2) Wage increases of 3%, 2½%, 2½% and 2% during the 4-year term.
- 3) Hours worked during events will be paid at overtime rate, rather than schedule adjustments. Borough reserved right to use part-time workers.
- 4) An annual clothing allowance of \$200 was added.
- 5) Annual stipend for eye-dental increased from \$275 to \$350.

The proposed contract represents a significant step toward controlling employee healthcare costs. The union's recognition of those high costs and their willingness to help control them is appreciated.

Recommended Action – Approve the collective bargaining agreement with AFSCME for the period January 1, 2015 through December 2018.

Item 8B: Property & Casualty Insurance

We received two proposals for the August 1st renewal of the borough's property and casualty insurance. HDH Group quoted a total of \$120,888. Our current carrier, Selective Insurance, through Ebsburg Insurance, quoted \$122,694. HDH Group would require the borough to institute a back-to-work program for workers compensation. Because of the small difference in premium, and no requirement for a new program, the coverage was renewed with Selective Insurance. The total premium for the insurance package is \$16,650 less than last year.

In addition to the insurance package, there are two separate policies that were also renewed through Ebensburg Insurance. The airport liability insurance decreased from \$3,500 to \$1,991 annually. That premium is reimbursed by RACRA. The premium for the fire department's workers compensation through the State Fund increased from \$10,939 to \$11,643.

Recommended Action – No action required.

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 July 2014 is presented for approval.

Recommended Action – Approve the July 2014 financial statement.

- * Item 9C: Bills
A list of bills totaling \$243,889.82 is submitted for approval.

Recommended Action – Approve payment of the bills as submitted.

Item 9D: Trees

There are thirty-nine street trees that need to be replaced. Some were damaged by storms, some by vehicles. Several died for unknown reasons, including two mature trees on West High Street. Fifteen of the trees are crimson sentry species that are 2-5 years old and do not appear to be well-suited for along streets. Seven of the trees planted last year around the courthouse died and are being replaced by Schichtel's Nursery.

Quotes were sought for the replacement of the trees.

Schichtel's Nursery	\$5,221.00
Eisler Nurseries	\$5,350.00

The quote from Schichtel's includes delivery to Ebensburg. Staff recommends that the trees be purchased from Schichtel's. They cannot be dug at the nursery until late fall.

Recommended Action – Purchase thirty-nine trees from Schichtel's Nursery at a cost of \$5,221.00.

Item 9E: Welcome to Ebensburg Sign

The American Legion agreed last year to contribute toward the cost of a third Welcome to Ebensburg sign. This one will be erected along Route 422 near Bishop Carroll High School. It will be positioned in the area of a gravel driveway, and that driveway will be covered and seeded.



BCHS has agreed to provide electricity for the sign from an existing streetlight. Staff is preparing an easement for the new sign, and will be soliciting bids for the project, which should be available for Council’s September meeting.

Recommended Action – No action required.

* Item 9F: Garbage/Recycling Contract
 The garbage/recycling collection contract expires at the end of 2014. The contract has been advertised, and bids will be available for Council’s consideration at the September meeting.

Recommended Action – No action required.

Item 9G: Chemicals

The Borough uses various chemicals in the water treatment process and at the swimming pool. Bidding on chemicals was last done in spring 2013. Staff advertised for bids and received the following responses. The request for bids did not include road salt, as that is purchased under the State’s contract.

<i>Description</i>	<i>Univar</i>	<i>SAL</i>
1. Cal Hypo Induclor Gran	\$1.99/lb.	\$1.88/lb.
2. Chlorine 300 gal. tote	\$1.45/lb.	\$1.68/gal.
3. Carusol Liquid Permanganate	\$ 9.80/gal.	\$9.10/gal
4. Caustic Soda 50%	\$2.35/gal.	\$2.44/gal
5. Chlorine 150 lb. Cylinder	\$.445/lb.	\$.55/lb.
6. DelPac 2020 Coagulant	\$.2094/gal.	\$2.985/gal.
7. SLI Aqua Mag Phospate	\$8.95/gal.	\$7.023/gal.
8. Hydrofluosilicic Acid 23%	\$4.45/gal.	\$3.499/gal.
9. Calcium Chloride Flake	\$.254/lb.	\$.235/lb.

Recommended Action – Award bids for chemicals as follows:

1. To Univar, Inc. - Items #2, 4, 5, and 6.
2. To SAL Chemical Co. – Items 1, 3, 7, 8 and 9.

Item 9H: Dogs Running at Large

Ordinance #614 is presented for Council’s consideration. The Ordinance prohibits dogs running at large.

Recommended Action – Grant tentative approval to Ordinance #614 and advertise for public inspection.

Item 9I: Curfew

Staff received an e-mail from a new resident who was surprised that the fire siren is sounded every night at 10:45 for the curfew. He does not question the existence of a curfew, but wonders why it is necessary to wake infants and small children who are already asleep at 10:45, or excite dogs and other pets. He feels that perhaps the practice is now outdated, as anyone that is still out at 10:45 likely has a cell phone, knows the time, and can even set an

alarm. He feels that “this practice abdicates parental oversight to the fire siren rather than to the parents, (and that) this seems like an antiquated procedure for a progressive municipality like Ebensburg.”

Staff agrees that the nightly sounding of the fire siren is likely no longer necessary, and suggests even further changes. The Curfew Ordinance dates from 1964, and has never been modified. Council might wish to consider if the Ordinance is even necessary at all. At a minimum, the applicable age should be lowered from under age 18 to under age 16. After all, 16-year olds are permitted by State law to still be driving at that hour, yet the Ordinance forbids them from even being on the street.

Recommended Action – Dependent on discussion.

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: 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) Falchini

The Planning Commission has granted conditional approval to the Falchini lot merger plan and the land development plan on West High Street.



The lot merger plan combines the lot at the triangle formed by High Street and Park Street, with the two residential lots on which buildings were recently razed. There is an issue with an existing stormwater pipe near the intersection, and the fact that the property border extends into the intersection of West High Street and Park Street.

The Commission gave Falchini two choices for solving the problem. First, an easement could be provided for the stormwater pipe. In the alternative, Falchini could shift the eastern property line point to the west, excluding the stormwater line. The point of the triangular lot would be conveyed to the borough, negating the need for an easement. The lot merger plan was approved pending one of those solutions being employed.

For the land development plan, Falchini sought a waiver for a rule requiring that parking spaces be set back a minimum of 15 feet from the right-of-way line. Due to the unique characteristics and shape of the lot, the waiver is necessary to allow for adequate parking spaces. That waiver was approved by the planning commission.

Several changes were required in the land development plan. First, an outdoor lighting plan is required. Second, all stormwater pipes within the R/W must be changed to 15" minimum. Third, the applicant agreed to install two "Do Not Enter" signs assuring one-way traffic through the parking area. And finally, a sign plan was requested for the parcel for zoning approval. This parcel is in the middle of a broad scope of renovations underway on West High Street, and the current practice of hanging temporary promotion signs on the property will not be permitted.

Those plan revisions are currently being made. In order to allow the project to move forward, staff suggests that Council grant conditional approval to the lot merger plan and the land development plan, conditioned upon those changes being made. Approval is also conditional on the receipt of a highway occupancy permit from PennDOT.

Recommended Action #1 – Grant conditional approval to the Falchini lot merger plan.

Recommended Action #2 – Grant conditional approval to the Falchini land development plan, including a waiver relative to setbacks for parking spaces.

* 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. EXECUTIVE SESSION

An executive session is required to discuss a legal matter relative to tax collection.

14. 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.