



Ebensburg Borough Council Meeting
Monday, March 24, 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 February 24, 2014 regular monthly meeting of Borough Council.
- Item 9B: Approve the Financial Statement.
- Item 9C: Approve payment of bills.
- Item 9I: Approve advertising for sale a 1998 Massey Ferguson tractor and 1998 bucket truck.
- Item 9J: Make it a matter of record that electric accounts have been changed to American Power at a variable rate of 8¢/kW, on a month-to-month non-contractual basis.

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 & Houser

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: Wastewater Plant Operations

The contract with Severn Trent for operation, maintenance and management of the wastewater treatment plant expires at the end of May. A Request for Proposals (RFP) for said services was issued, with responses due March 3rd. Three firms responded to the RFP; Severn Trent, American Water and M&B Environmental.

Four staff members affiliated with the contract and the wastewater plant evaluated the proposals, considering the ten evaluation criteria contained in the RFP. Price was only one of the ten factors considered. Other factors included ability to provide the service, ability to provide technical support, experience and qualifications, experience with regulatory authorities, etc. A complete evaluation of the proposals has been provided to Borough Council. Negotiations with the selected respondent are continuing, and staff hopes to have a recommendation for Council tonight.

Recommended Action – Dependent on discussion. Desire is to award a 3-year contract for operation, maintenance and management of the wastewater treatment plant.

- * Item 5C: Chapter 94 Report
Chapter 94 of the Clean Streams Law requires an annual wasteload management report. Kimball has completed and filed the report with DEP, and a copy is posted on the borough's website.

Recommended Action – No action required.

6. RECREATION COMMITTEE

Barber & Jacoby

7. STREET COMMITTEE

Lutz, Miller & Houser

Item 7A: Sidewalk Project

Keller Engineers submitted the revised Highway Occupancy Permit (HOP) application to PennDOT at the end of January. Communications between PennDOT and the engineer are ongoing to achieve HOP compliance, and all parties believe we are nearing that goal. All parties have signed the required Authorizations to Enter, and they have been submitted to PennDOT. The project cannot proceed to bidding without the HOP.

The intent had been to acquire the HOP and bid this project in January. The process has already gone so late into the year that, even if the HOP is obtained within the next few weeks, actual bidding could not get underway until early June. It is not to the borough's advantage to bid a construction project of this size that late in the year.

In addition, PennDOT has just announced a new round of Transportation Alternatives Program (TAP) funding. This grant program replaces the former TEA grants, which Ebensburg has used several times on earlier sidewalk projects. Last year we chose not to participate in the TEA grants, complaining that there were too many strings attached for such small grants. The new TAP grants correct those problems that we had complained of. If Council wishes to apply for a TAP grant, and staff suggests that we do, then the sidewalk project must be delayed until 2015. The grant awards will not be announced until September, and no work can begin on a funded project until after award.

The scoring of applications for TAP grants heavily rewards projects that are shovel ready. Our project, already designed with a HOP already issued, will likely be the only application that far along in planning and ready to bid in spring 2015. If successful, this project could receive a grant of \$300,000 to \$500,000. It is worth the effort, and worth the wait, to obtain a grant of that size.

The delay could be considered as a positive or a negative, depending on one's point of view. The new bridge project and the new Sheetz will also be under construction at that time. Some might prefer that the disruptions associated with the projects are all endured at the same time, while others might find a construction zone of that size unreasonable. We will have the ability to shift our work to Rowena Drive and South Center Street as necessary to avoid interfering with the other projects.

Recommended Action #1 – Obtain consensus on delaying the sidewalk and curb project until 2015.

Recommended Action #2 – Adopt Resolution #2014-05 authorizing a grant application to PennDOT under the Transportation Alternatives Program.

Item 7B: Petition to Vacate Hemlock Street

The Evelyn A. Falchini Trust has filed a petition for Council to vacate Hemlock Street. This is sought in conjunction with the plan of Sheetz, Inc. to acquire by lease all properties abutting Hemlock Street from the Falchini Trust, and to construct a new convenience store on the merged properties.

The vacating of streets is governed by Section 1731 of the Borough Code, and grants Council the authority to do so, provided that all abutting property owners who, as a result of vacating the street, would be denied access to said properties, consent. The Falchins own all abutting properties.



The proposal for the new convenience store is currently before the zoning hearing board and the planning commission for other regulatory reviews.

The Ordinance vacating the street must be advertised twice, and all interested parties must be afforded ten days in which to request a public hearing.

Recommended Action – Grant tentative approval to Ordinance #611 vacating Hemlock Street, and advertise for public inspection and the right for public hearing.

Item 7C: West Alton Street Parking

Council granted tentative approval last month to Ordinance #610 prohibiting parking at any time in the 300 block of West Alton Street. The Ordinance has been advertised and is ready for final adoption.

Recommended Action – Grant final approval to Ordinance #610 prohibiting parking in the 300 block of West Alton Street.

8. ADMINISTRATION COMMITTEE

Lutz, Barber & Jacoby

Item 8A: Full-time Police Position

Twenty-two applications were received. Twenty-one applicants sat for the written examination. Eighteen of those sat for the oral examination. Six applicants satisfied all civil service requirements. The Civil Service Commission certified a final eligibility list of three names.

The Civil Service Commission is hearing an appeal of the oral examination results earlier in the day. A final recommendation for hire is dependent on that hearing.

Recommended Action – Dependent on recommendation.

Item 8B: Civil Service Rules & Regulations

Ebensburg Borough's Civil Service Rules & Regulations were last adopted in March 2009. Last month Council engaged Bill Gamble to update the rules and regulations to conform with recent amendments to the Borough Code and Civil Service Act. A complete rewrite of the Rules & Regulations has been approved by the Civil Service Commission, and the Commission recommends that they be adopted by Council. All changes have been highlighted in the draft provided to Council. The major changes include:

1. Alternate members to the Civil Service Commission are permitted.
2. A quorum is three members.
3. Executive sessions are now permitted.
4. A physical agility test is now required before the written test.
5. Only the top 15 applicants passing the written test will advance to the oral examination.
6. Promotions, except for Chief, are subject to civil service examination.

The Commission is not aware of any rule changes that would have impacted the current hiring process. Nonetheless, it is recommended that the Rules & Regulations not be changed in the middle of that process. If an officer is not hired under Item 8A, staff recommends that action on this Resolution be tabled until a final hire is made.

Recommended Action – Adopt Resolution 2014-06 adopting the Ebensburg Borough Civil Service Rules & Regulations.

Item 8C: Civil Service Commission Alternates

One of the recent changes to the Borough Code is a requirement that a quorum of three be present for all meetings. That creates an obvious problem in that civil service commissions only have three members. The Code now allows up to three alternates to be appointed, where none were permitted before. Staff recommends that Council appoint at least one alternate to the Commission. It is a non-compatible office for elected officials.

Recommended Action – Appoint Margaret Jubas as an alternate to the Civil Service Commission, term expires 12/2015.

Item 8D: Part-time Police

Chief Wyland has recommended that Paul Mummert, Jr. and L. Anthony Woodard be hired as part-time police officers. All pre-employment testing has been satisfactorily completed.

Recommended Action – Hire Paul Mummert, Jr. and L. Anthony Woodard as part-time police officers, rate of \$ 12.50/hr.

Item 8E: Temporary Workers

Two temporary workers are to be hired to oversee this year’s fire hydrant maintenance program. All fire hydrants on the system will be flow tested, serviced and painted.

Recommended Action – Approve hiring Ted Farabaugh and Tom Kitchick for temporary hydrant maintenance positions, effective as soon as weather permits, at the rate of \$9.00/hr.

Item 8F: Summer Workers

Applications for summer positions were due on March 14th, and staff has reviewed those. The following are recommended for summer employment.

Summer Maintenance

Josh Bracken	West Highland Avenue	4 th yr.
Tanner Ambrisco	Ogden Street	2 nd yr.
Nathan Knopp	East High Street	1 st yr.

Summer Public Works

Steven Papuga	Maple Avenue	3 rd yr.
Joshua Surkovich	North Spruce Street	1 st yr.

Memorial Field

Nicholas Myers	North Beech Street	2 nd yr.
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There were six other applicants for the above positions, all from outside of the borough.

Swimming Pool Manager

Kimberly Franey is available to return again in 2014 as the swimming pool manager.

Lifeguards

Emily Hansen	East Crawford Street	7 th yr.
Luke Marcinko	East Highland Avenue	4 th yr.
Miranda Nalisnick	Pindleton Ridge Road	3 rd yr.
Josh Remillard	East Sample Street	3 rd yr.
Francis Horne	Helen Street	3 rd yr.
Allison Risaliti	East Highland Avenue	3 rd yr.
Ashley Evans	Pensacola Road	3 rd yr.
Jessica Schaffer	North Julian Street	2 nd yr.
Gabrielle Gironda	A Frame Road	2 nd yr.
Jordan Johnson	East Highland Avenue	2 nd yr.
Erica Kozorosky	North Marian Street	2 nd yr.
Tyler Weigel	Pinelock Street, Mineral Point	2 nd yr.
Lauren Wingard	St. Francis University	1 st yr.
Cooper Gilkey	Pinelock Street, Mineral Point	1 st yr.
Jocelyn Simmers	428 Vetera Road	1 st yr.

There were five other applicants for the above positions, all from outside of the borough.

Concessions

Cory Myers	North Spruce Street	2 nd yr.
Peter Schaffer	East Lloyd Street	2 nd yr.

Office Assistant

We are having ongoing discussions with two possible interns for this position. It may not be necessary to hire a person. If necessary, Council can do so next month.

Recommended Action #1 – Hire the six persons recommended above for summer maintenance positions at rate of \$7.25/hr.

Recommended Action #2 – Hire Kim Franey as swimming pool manager at rate of \$11.50/hr; 35 hrs/week.

Recommended Action #3 – Hire the fifteen persons recommended above for lifeguard positions at rate of \$7.25/hr.

Recommended Action #4 – Hire Corey Myers and Peter Schaffer for concessions at rate of \$7.25/hr.

Recommended Action #5 – Hire Ron Jacobs as the summer work supervisor at rate of \$12.75/hr.

Recommended Action #6 – Hire Charmaine Aurandt for landscaping at rate of \$8.27/hr.

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 February 2014 is presented for approval.

Recommended Action – Approve the February 2014 financial statement.

- * Item 9C: Bills
A list of bills totaling \$226,703.93 is submitted for approval.

Recommended Action – Approve payment of the bills as submitted.

Item 9D: Digital Record Storage

Staff has been researching methods of storing documents in an electronic format. Such a system provides easy retrieval of records, greatly reduces the amount of paper used, and will eventually reduce the amount of physical space required for document storage in the office and upstairs.

Documents can be stored directly from e-mail, from Microsoft applications such as Word and Excel, or from QuikBooks. The auditors can be granted direct access to records to find all invoices, checks, lists of bills, etc. instantly rather than Patti searching through paper records and copying. Departments will be able to enter line item numbers with authorizations to pay bills, eliminating a step which now often results in transcribing errors and expenses being charged to the wrong line item. All development plans, subdivisions, project specifications, as-builts and any CAD files can be scanned and stored.

Desktop scanners will be employed at each work station to eliminate the need for filing nearly all paper records. We will still be required to keep certain paper records, such as meeting minutes and ordinances. One large scanner will be needed to store the many large plan documents that we already have.

Recommended Action #1 – Approve purchase of digital record storage system from Advanced Office Systems in the amount of \$4,990.

Recommended Action #2 – Approve purchase of seven desktop scanners from HMB Capture in the amount of \$6,055.

Recommended Action #3 – Approve purchase of one large format 36” scanner from First in Scanner in the amount of \$4,306.

Item 9E: Utility Billing Software

The borough’s utility billing software is outdated and cumbersome. Staff is recommending that a change be made to Muni-Link. Muni-Link is cloud-based instead of running on the borough’s server. That lessens the space requirements on the server, assures timely backups,

and eliminates the need for software upgrades. The new software includes CASS certification which scrubs our address list and qualifies for a 6¢/piece postage rate reduction. The software allows customers direct on-line access to their billing records. The software is integrated with the GIS system, so that photos and other data can be attached to the customer record. It contains an integrated means of managing work orders such as shut offs, frozen lines, etc. It is fully compatible with our radio-read meters, and encourages a system of e-mail billing to further save on postage costs. Muni-Link can be integrated to QuikBooks, eliminating the occurrence of data entry errors.

The cost of the new software is \$2,500 up front, and then 40¢/mo. per account, or \$800/mo. It will result in an immediate savings of \$60/mo. in postage rates, and eventually another \$200/mo. saved by electronic billing, assuming we can encourage 30% of customers to switch from conventional mail. Our current software costs averages \$275/mo. With the anticipated reductions described here, our monthly software cost will increase by \$265, or \$3,200 annually. Staff believes that the benefits of the new software including increased customer access, and the time saved compared to the current system, are worth the increased cost.

The Muni-Link software is already used by many of the larger systems in the area including Highland S&W, Monroeville, Cambria Township Sewer Authority and Altoona.

Recommended Action – Approve purchase of Muni-Link billing software.

Item 9F: Computer Network

The borough’s computer network server is experiencing recurring issues involving connectivity and remote access. It is necessary to replace the server, the cost of which is \$12,071 for hardware alone. All installation and optimization is included in our existing maintenance contract with InShore Technologies. It is important that the new server be on-line before installing the new software systems described above.

Recommended Action – Approve purchase of network server at a cost of \$12,071.

- * Item 9G: Spring Clean-Up
Lee Disposal has scheduled spring clean-up for April 29th and April 30th.

Recommended Action – No action required.

Item 9H: Tractor Mower

It is necessary to replace a 1998 tractor mower. The purchase was anticipated in the capital budget. The following bids were received for a 72” zero-turn mower.

Ray’s Lawnmower	Exmark	\$10,567.00
Pristow’s	Toro	\$10,639.00
Hercules Equipment	Ferris	\$10,200.00



Recommended Action – Approve the purchase of a 72” zero-turn mower from Hercules Equipment of Ebensburg in the amount of \$10,200.00.

- * Item 9I: Sale of Vehicles
Due to their replacement, the old Massey Ferguson tractor and bucket truck should be advertised for sale.



Recommended Action – Approve advertising for sale a 1998 Massey Ferguson tractor and a 1998 bucket truck.

- * Item 9J: Electric Service
The Borough’s contract with Liberty Power expired in November, and reverted to the default variable rate. This applies to 31 of our 37 accounts. The other six accounts, the majority of our electric purchase, remains with Champion Energy (7.74¢). The Liberty rate has now increased to between 17¢ and 33¢, depending on the type of usage for each account. Those 31 accounts have now been switched to American Power at a variable rate of 8¢, on a month-to-month basis with no contract. These accounts are relatively small and are not very marketable.

Recommended Action – Make it a matter of record that electric accounts have been changed to American Power at a variable rate of 8¢/kW, on a month-to-month non-contractual basis.

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

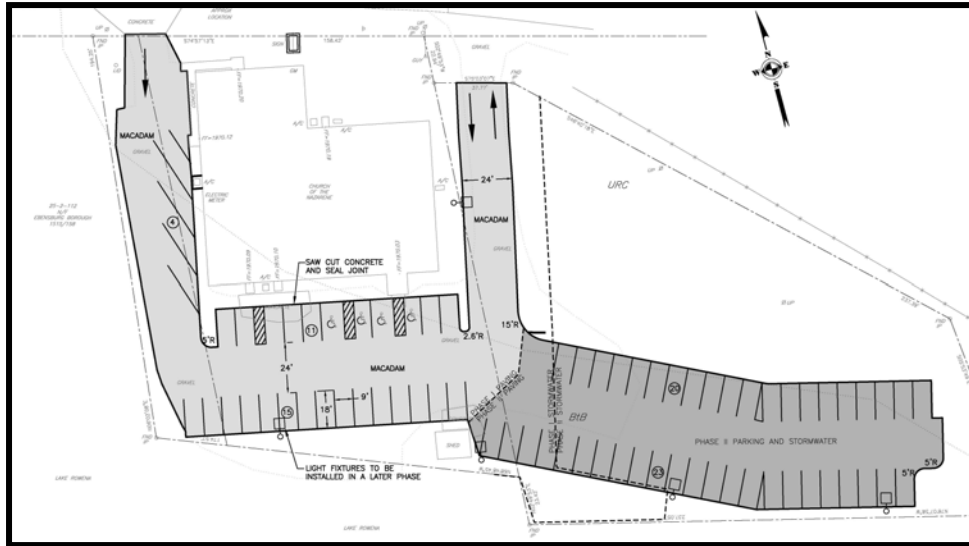
A monthly codes enforcement report is provided in Council’s mailbox.

- * 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) Church of the Nazarene

The planning commission granted tentative approval to a land development at the Church of the Nazarene, next to Lake Rowena. The project involves paving of the parking lot.



The Land Development Ordinance requires a setback from neighboring property of 15 feet. This project includes paving to within only a few feet of the property line along the west and south borders of the project. The applicant is seeking, and the planning commission is recommending, that the setback requirement be waived in this unusual instance. The neighboring property is owned by the Borough, and the project is immediately adjacent to Lake Rowena, negating any concern about increased runoff to the neighboring property. The dimensions proposed are the minimum necessary to allow adequately sized parking spaces and aisles. The project as proposed will be a considerable improvement to the lake area. Unlike the zoning board, the planning commission lacks authority to grant any variances.

Recommended Action #1 – Waive the setback requirement contained in the Land Development Ordinance for the Church of the Nazarene parking lot project.

Recommended Action #2 – Grant final approval to the Church of the Nazarene land development plan.

- * 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 an issue specific to the water treatment plant that involves personnel and union –related matters. It will not involve a decision, and no further business is expected to be considered at its conclusion.

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.