



Ebensburg Borough Council Meeting
Monday, December 21, 2015
6:30 p.m.

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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 November 23, 2015 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 & STORMWATER 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.

6. RECREATION COMMITTEE

Barber & Jacoby

Item 6A: Composition of Recreation Board

The Recreation Board currently has seven of the nine seats filled, and has requested that the size of the Board be reduced from nine to seven. The members feel that seven is an adequate number of members, and that it would be easier to obtain a quorum with fewer seats.

The Recreation Board was established by Resolution in 2001. At that time, in order to qualify for a DCNR staffing grant, the composition of the Board was of a regional nature. Appointments to the Board were made by Ebensburg Borough (4), Cambria Township (4) and CCSD (1). Such an arrangement is no longer necessary, and staff recommends that, while the size of the Board is being reduced, that Council reserve unto itself the appointment of members.

The proposed Resolution adjusts the terms of the seven current members so that one or two of the 5-year terms expire each year. Once adopted, the Recreation Board will make a like amendment to its By-Laws.

Recommended Action – Adopt Resolution 2015-15 reducing the size of the Recreation Board from nine members to seven.

Item 6B: Lake Rowena Pavilion

The need to replace a 24' x 30' pavilion at Lake Rowena was mentioned within the 2016 Budget but was mistakenly omitted from the capital budget. Regardless, the existing pavilion was in such poor condition that staff elected to raze it now rather than risk a collapse from snow load. Our own staff will erect the new pavilion in the spring.

A building permit will be necessary for the project, requiring stamped drawings. Ed Pawlowski will allow the Borough to utilize a design he completed recently for a new pavilion at Duman Park, saving us thousands of dollars in design costs. The new pavilion will be 20' x 50', and will negate the need to set up additional tents for events at the lake.

Recommended Action – No action required.

Item 7A: 2016 PennDOT Resurfacing

PennDOT will be milling and resurfacing all state roads within the borough in the coming spring. The project includes all of High Street between both Route 22 interchanges, Center Street from Route 22 to beyond Highland Avenue, West Highland Avenue to the school entrance, and Route 422 to Bishop Carroll.

The thermos-plastic traffic markings such as crosswalks, turn arrows and stop bars are very expensive, and very time-consuming to install. The Borough recently completed the replacement of many of the old traffic markings, and the installation of new markings associated with the sidewalk project. The ongoing maintenance of the traffic markings is a borough responsibility. PennDOT has agreed to include all traffic markings, including all parking spaces and handicap symbols, in their resurfacing project.

PennDOT has not yet decided what to do with the eight red concrete crosswalks installed a decade ago as part of the streetscape project. While it will be PennDOT's decision in the end, they have sought input from the Borough.

The existing crosswalks in the downtown area are full-depth red concrete, with a brick pattern stamped into the concrete. Traffic has worn the brick pattern down in the tire paths.

Those same tires cause a depressed path in the adjacent blacktop. Since the concrete does not wear in the same way, the blacktop becomes lower than the concrete, causing tires to hit the edge of the crosswalk hard. In 2015 borough crews made repairs to the blacktop surfaces to smooth the transition to the crosswalks. The concrete crosswalks have also suffered significant cracking, and borough crews keep those cracks sealed.

PennDOT sees three choices relative to the crosswalks.

- 1) Leave the red crosswalks in place. Mill the blacktop surface and resurface up to the existing concrete. The crosswalk would continue to crack and wear, and the problem with tire paths would recur.
- 2) Excavate and remove the red crosswalks, install new blacktop base, and resurface the entire area with blacktop. Then a brick-pattern thermo-plastic marking would be applied to the surface. An example of this application is at the south end of Cherry Street.



This option, while it probably has the most attractive appearance, raises several concerns. First, it is difficult to achieve adequate compaction when installing base in a limited space. Therefore, it is likely that a crack would form in the new blacktop across the street in line with where the crosswalk was. Second, this type of crosswalk pattern covers 100% of the crosswalk area, requiring a large amount of product. Third, each time that it peels and/or wears, the entire walk will have to be removed and replaced. There is no patching this crosswalk. With the high traffic count and winter maintenance, thermo-plastic crosswalks will peel. Fourth, the process of excavating and removing the old crosswalk will require significant traffic interruption during the work.

- 3) Remove and resurface with blacktop, as in #2, but install a conventional striped thermo-plastic crosswalk. Some might consider this option the least aesthetically pleasing, but it is probably better than what the concrete crosswalks will look like in another ten years. The white product is much cheaper than the brick-pattern product, and this striped pattern requires only half as much product. This pattern is easily repaired as it peels.



PennDOT is interested in hearing opinions from Council, recognizing that the Borough has invested much in streetscape improvements, and will have to maintain whichever option is selected. When considering the options, bear in mind this is not necessarily a matter of selecting the “best” option. It is recognizing that one choice is as bad as the next, and picking one.

Recommended Action – Dependent on discussion.

Item 7B: Streetlight Addition

With the closing of the former Sheetz store, and the loss of light that the facility’s exterior lights provided, that area of West High Street is now very dark. Staff recommends that an additional streetlight be added.

Recommended Action – Approve an order to Penelec for the addition of a streetlight on West High Street near New Germany Road.

8. ADMINISTRATION COMMITTEE	Lutz, Barber & Jacoby
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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 adopted a tentative MMO at its September meeting, subject to change when the 2015 Actuarial Valuation Report was issued. The 2015 Report has been received, and revisions to the 2016 MMO are recommended.

The non-uniformed pension plan experienced actuarial gains, resulting in a lower MMO. The 2016 financial requirement decreased from \$98,996 to \$87,574. If the employee contributions remain at 3%, the Borough's share of \$20,411 continues to be considerable. The non-uniformed plan is now 88% funded, up from 76%. Staff recommends that the employee contributions for the non-uniformed employees remain unchanged.

Non-Uniformed Plan

	<u>2014</u>	<u>2015</u>	<u>2016 Adopted</u>	<u>2016 Revised</u>	<u>2016 Recommend</u>
Financial Requirement	\$95,539	\$100,379	\$98,996	\$87,574	\$87,574
Employee Contributions	- \$18,065	- \$ 17,196	- \$16,816	- \$16,816	- \$16,816
MMO	\$77,477	\$ 83,183	\$82,180	\$70,758	\$70,758
State Aid	- \$50,496	- \$ 50,348	- \$50,348	- \$50,348	- \$50,348
Borough Share	\$26,981	\$ 32,835	\$31,832	\$20,410	\$20,410

The police pension plan enjoyed the same improved investment earnings, plus realized the expiration of several amortization bases, resulting in a significantly lower MMO. The 2016 financial requirement decreased from \$51,113 to \$35,575. The police plan is now 110% funded, up from 90%. That funding level qualifies for an additional credit of \$11,555 (10% of excess funds). As a result of the new valuation, the Borough's share will decrease from \$5,496 to zero.

In the case of the uniformed plan, the State Aid will be capped at the actual plan costs. In other words, in 2016 we will no longer receive the full unit value for each employee, but rather only that amount necessary to fund the MMO. That amount has already been calculated by the State assuming an employee contribution rate of 7%. Now that the plan is fully funded, it is necessary to decrease the employee contribution rate so that the amount of state aid will increase in future years. In the meantime, the borough share will increase dollar-for-dollar for every decrease in the employee percentage. Therefore, the employee contribution rate should be reduced in steps. Plan administrators recommend that the employee contribution be decreased from 7% to 5%. A second reduction will likely be recommended next year.

Uniformed Plan

	<u>2014</u>	<u>2015</u>	<u>2016 Adopted</u>	<u>2016 Revised</u>	<u>2016 Recommend</u>
Financial Requirement	\$99,568	\$97,391	\$51,113	\$35,575	\$35,575
Employee Contributions	- \$11,421	- \$11,477	- \$14,634	- \$14,634	- \$10,453
MMO	\$88,147	\$85,914	\$36,479	\$20,941	\$25,122
Funding Adjustment				- \$11,555	- \$11,555
State Aid	- \$23,306	- \$23,237	- \$30,983	- \$ 9,386	- \$ 9,386
Borough Share	\$64,841	\$62,677	\$ 5,496	\$ 0	\$ 4,182
 Net Cost to Borough for Both Plans	 \$91,822	 \$95,512	 \$37,328	 \$20,411	 \$24,592

Action #1 - Adopt the revised minimum municipal obligation (MMO) calculation for the uniformed pension plan in the amount of \$9,386.

Action #2 - Adopt the minimum municipal obligation (MMO) calculation for the non-uniformed pension plan in the amount of \$70,758.

- Action #3 - Adopt Resolution #2015-07 continuing the employee contribution rate of 3% for the non-uniformed pension plan for 2016.
- Action #4 - Adopt Resolution #2015-08 establishing the employee contribution rate of 5% for the uniformed pension plan for 2016.
- Action #5 - Adopt Resolution #2015-09 authorizing distribution of the State aid check to the respective employee pension plans.

Item 8B: Body-Worn Camera Policy

The police department has acquired body-worn cameras to be utilized by every on-duty police officer. The full cost of the cameras was paid by the local Moose lodge. A policy is required governing the use of the cameras.

Recommended Action – Adopt Resolution #2015-14 amending the Police Department Standard Operating Procedures implementing a policy for the operation of newly acquired body-worn cameras.

Item 8C: FOP Negotiations

The administration committee has reached a tentative agreement with the full-time police officers relative to renewal of the collective bargaining agreement that expires at the end of 2015. The proposed agreement includes the following subjects:

1. All employee benefits shall cease after six months of unpaid leave.
2. Wages shall increase 2½% each year.
3. The longevity shall remain at \$100/year, with the cap increased from \$1,000 to \$2,000.
4. The Borough gains the authority to develop the work schedule.
5. Language relative to future healthcare changes is changed from “equal to or better” to “reasonably similar to”.
6. Employee healthcare contributions will increase from 4% to 8% during the contract period.
7. The eye/dental benefit increases from \$225/year to \$350/year.
8. Lump sum payments for accumulated sick time will only be payable upon total disability, retirement, death or permanent layoff.
9. Lump sum payment for unused earned vacation will be limited to current year, except in event of total disability, retirement, death or permanent layoff.
10. A new Article detailing “Break in Service” is added, limiting the Borough’s responsibility for continued benefits in certain circumstances.
11. The grievance procedure was modified in the Borough’s favor.

Recommended Action – Approve a new 4-year collective bargaining agreement with uniformed employees.

Item 8D: Recreation Director

The position of Recreation Director is vacant. The position was advertised and thirty-five applications were received. A short list of nine applicants were interviewed by the Administrative Committee and a representative of the Recreation Board, and finalists were then interviewed a second time by a different panel. The committee is expected to make a recommendation at the meeting.

Recommended Action – Hire the recommended individual as Recreation Director, effective January 4, 2016, at a salary of \$38,000.

9. GENERAL BUSINESS

- * Item 9A: Minutes of Previous Meeting(s)
The minutes of the previous regular 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 November 2015 is presented for approval.

Recommended Action – Approve the November 2015 financial statement.

- * Item 9C: Bills
A list of bills totaling \$192,895.25 is submitted for approval.

Recommended Action – Approve payment of the bills as submitted.

- * Item 9D: Upcoming Meetings
Make it a matter of record that the Reorganization Meeting will be held on Monday, January 4, 2016.

Recommended Action – No action required.

- * Item 9E: Police Cruiser
Make it a matter of record that a new Ford Explorer police cruiser was ordered from TriStar Motors to replace the vehicle recently damaged in a collision.

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 Jeff Evans 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

A copy of the minutes of the last recreation board meeting is included in Council's packet.

- * Item 10E: Codes Enforcement
A monthly codes enforcement report was forwarded to Council.
- * 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 – No activity
- * Item 10H: Ebensburg Zoning Board
 - *1) Laughard
The Zoning Hearing Board granted a use variance to Ronald & Noelle Laughard to operate an automobile service facility at 706 Ben Franklin Highway.

Recommended Action – No action required.

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.