



Ebensburg Borough Council Meeting
Monday, September 28, 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 6B: Hire Caitlin Baker as a tennis assistant effective 8/28/15 at rate of \$8.00/hr.
- Item 9A: Approve the minutes of the August 24, 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

- Item 2A: Nature Center & Trail Development Plan**
Dave Petrosky and Dave Lester wish to present preliminary plans for the development of a nature center and trails in the area of the swimming pool and reservoirs.

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: Tennis Center Lights

A Request for Proposals was issued for new lights at the tennis center. Sylvania Lighting Services was the only firm to respond. The photometric analysis determined that, of the lighting options considered, only LED Option 2 would assure adequate horizontal lighting and a satisfactory uniformity ratio.

LED Option 2 was the most expensive of the options considered, with a preliminary cost estimate of \$66,000. The utility rebate will be \$3,000 and the annual cost savings will be \$6,000. The system has a 10-year warranty.

Sylvania's actual bid for this lighting system is \$49,024.37. The cost will be paid for using \$17,477 that remains in a capital reserve fund from the initial construction, held exclusively for capital projects at the tennis center, and the balance from the capital reserve fund. The net cost to the general fund will be approximately \$31,500. The project will pay for itself in seven years, while the annual savings will continue beyond that.

Recommended Action – Award a contract to Sylvania Lighting Services for relighting of the tennis center, in the amount of \$49,024.37.

* **Item 6B: Tennis Assistant**

Staff recommends that Caitlin Baker be hired as a tennis assistant. She is a former student of Jamie, and attended Rutgers on a tennis scholarship. She will be providing lessons as well as working the front desk.

Recommended Action – Hire Caitlin Baker as a tennis assistant effective 8/28/15 at rate of \$8.00/hr.

7. STREET COMMITTEE

Lutz, Miller & Houser

Item 7A: Sidewalk Project

The only contracted work remaining on the sidewalk project is pouring of final curbs on South Center Street and adjusting the Ebensburg Oil & Gas driveway.

Borough crews will complete the installation of new street signs over the next few weeks, and will install the new streetlights as long as weather permits.

Recommended Action – No action required.

Item 7B: South Spruce Street One-Way

Council previously discussed the parking situation in front of 602 West High Street, currently the NAPA store, and the impact that the new sidewalk has on storefront parking. Curb-side parking spaces could not be installed due to inadequate sight-distance for cars entering High Street from South Spruce Street. The consensus at that time was to make South Spruce Street one-way heading south, eliminating any sight-distance concerns. Ordinance #625 was granted tentative approval last month, has been advertised for public inspection and is ready for final adoption.

Recommended Action – Grant final approval to Ordinance #625 making the 100 block of South Spruce Street one-way from High Street toward Lloyd Street.

Item 7C: Street Trees

Quotes were sought for the purchase of 68 street trees in conjunction with the sidewalk project. The trees are not normally transplanted until late October. Only one complete bid was received. The second bid received was for only four of the trees.

Recommended Action – Award a contract to Eisler Nurseries for the purchase of street trees in the amount of \$5,760.00.

8. ADMINISTRATION COMMITTEE

Lutz, Barber & Jacoby

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. The 2015 Actuarial Valuation Report is in process. It is likely that, depending on the valuations, Council will be asked to revise the MMOs later this year. Nonetheless, Council is required to approve the tentative MMO by the September 30 deadline.

The non-uniform plan is not expected to see significant change from two years ago. However, the cost of the police plan is expected to be reduced significantly, despite the fact that the estimated payroll increased by 22% for the 4th full-time officer. Eight amortization bases created between 2001 and 2007 expired in 2015. Those expirations are accounted for in the 2016 MMO calculation, and will of course be included in the upcoming actuarial valuation, expected to be completed near the end of October.

During periods of poor investment performance, increased contributions would normally be required to balance the pension plan. Those increased contributions are amortized over a period of years, and are referred to as amortization bases in the plans' funding formulas. The expiration of those eight amortization bases, coupled with improved investment performance, will significantly reduce future required contributions.

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 2015 State Aid Unit Value increased by 1.2% to \$3,920.83 from the 2014 value of \$3,872.95. Staff recommends that the annual adoption of the resolutions distributing the state aid and establishing employee contributions be delayed until the actuarial valuations are completed and the funding status of the plans is determined. The employee contribution rates are now 3% and 7% respectively for the non-uniform and police plans.

The chart below compares the pension costs for 2016 to the previous three years. Again, the 2016 estimates will be amended as soon as the actuarial valuation is completed.

Non-Uniformed Plan

	<u>2012</u>	<u>2013</u>	<u>2014</u>	<u>2015</u>	<u>2016</u>
Financial Requirement	\$105,159	\$ 88,422	\$95,539	\$100,379	\$98,996
Employee Contributions	- \$ 21,881	- \$ 16,046	- \$18,065	- \$ 17,196	- \$16,816
MMO	\$ 83,278	\$ 72,376	\$77,477	\$ 83,183	\$82,180
State Aid	- \$ 72,753	- \$ 46,489	- \$50,496	- \$ 50,348	- \$50,348
Borough Share	\$ 10,525	\$ 25,887	\$26,981	\$ 32,835	\$31,832

Uniformed Plan

	<u>2012</u>	<u>2013</u>	<u>2014</u>	<u>2015</u>	<u>2016</u>
Financial Requirement	\$136,568	\$100,130	\$99,568	\$ 97,391	\$51,113
Employee Contributions	- \$ 11,542	- \$ 11,650	- \$11,421	- \$ 11,477	- \$14,634
MMO	\$125,026	\$ 88,480	\$88,147	\$ 85,914	\$36,479
State Aid	- \$ 33,578	- \$ 21,456	- \$23,306	- \$ 23,237	- \$30,983
Borough Share	\$ 91,448	\$ 67,024	\$64,841	\$ 62,677	\$ 5,496

Net Cost to Borough for Both Plans	\$101,973	\$92,911	\$91,822	\$95,512	\$37,328
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Action #1 - Adopt the minimum municipal obligation (MMO) calculation for the uniformed pension plan in the amount of \$36,479.

Action #2 - Adopt the minimum municipal obligation (MMO) calculation for the non-uniformed pension plan in the amount of \$82,180.

Item 8B: Review of 2016 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: 2015 Audit

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

Action – Adopt Resolution #2015-10 appointing Wessel & Company as auditor for 2015.

* **Item 8D: FOP Negotiations**

The administration committee conducted its second negotiating session with police officers relative to renewal of the collective bargaining agreement that expires at the end of 2015.

Recommended Action – No action required.

- * Item 8E: Part-time Police
Chief Wyland is recommending that James Melnyk and Justin Kreutzberger be hired as part-time police. Officer Melnyk has 19 years of police experience with Cambria Township. Officer Kreutzberger has 3 years of experience with our own police department.

Recommended Action – Hire James Melnyk and Justin Kreutzberger as part-time police officers at the rate of \$14.00/hr.

9. GENERAL BUSINESS

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

Recommended Action – Approve the August 2015 financial statement.

- * Item 9C: Bills
A list of bills totaling \$424,368.15 is submitted for approval.

Recommended Action – Approve payment of the bills as submitted.

Item 9D: Noise Ordinance

A complaint was voiced at last month's meeting about noise generated at the new fitness business on Tanner Street. The Manager was asked to review noise ordinances in other communities.

Ordinances from Scranton, Butler, Hazleton, Lancaster, Indiana and State College were compared. Scranton was the only one that referenced a dB scale. The other five define what constitutes a noise disturbance. A violation is deemed to exist if that condition is exceeded, without requiring a dB measurement. Ebensburg's noise ordinance limits noise to 45 dB during "quiet hours" and 55 dB at all other times, and specifically requires a dB measurement prior to enforcement action. Council has been provided with a copy of the State College ordinance as an example of one not requiring a dB meter.

Chief Wyland has obtained a meter and measured sound levels at various locations in town. He will report on his findings.

The cost of a meter suitable for community noise is \$4,200 including a calibrator, software and all associated equipment. Borrowing a meter as needed is problematic. For example, the meter recently borrowed has not been calibrated since 1995. Our staff is not trained in its use. The readings could not be used in an enforcement action.

Staff sees two options for Council to consider. First, purchase a modern noise meter and train the police in its use. Or, amend the borough's noise ordinance negating the need for an actual measurement. The Solicitor should be consulted regarding any proposed ordinance amendment.

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 Jeff Evans 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.

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) Rizzo Chiropractic

The zoning hearing board granted a special exception for a professional office at 400 North Center Street. The Board also approved variances dealing with side and rear setbacks, driveway area, required number of off-street parking spaces and sizes of parking spaces.

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.