

The regular monthly meeting of the Ebensburg Borough Council was called to order on Monday, August 24, 2015 at 6:30 p.m. at the Ebensburg Municipal Building, 300 W. High Street, Ebensburg, by Council President Doug Tusing.

Present: Doug Tusing, President
Susan Barber, Vice President
Joe Lutz
Cecilia Houser
Dave Kuhar
Theresa Jacoby

Absent: Cecilia Houser

Others: Daniel Penatzer, Borough Manager
Randy Datsko, Mayor
Blair Pawlowski, Solicitor
Jeff Evans, Public Works Director
Bernie Kozlovac, Plant Supervisor
Terry Wyland, Chief of Police
Danea Koss, Community Development Director
Matt Pfeil, Recreation Director
Kelly Cernetich, The Altoona Mirror

Audience: 9

A. The Pledge of Allegiance was recited.

B. **Public Comments** – None.

C. **Consent Agenda**

Mr. Lutz made a motion to approve the consent agenda, containing the following items: (Miller)
Motion passed unanimously.

1. Approve the minutes of the July 27, 2015 regular monthly meeting of Borough Council.
2. Approve the Financial Statement.
3. Approve payment of bills with an abstention from Councilor Barber on amount owed to Barber Oil Company.
4. Approve payment of bills.

D. **Appointments to Address Council** – None.

E. **Mayor's Report** – None.

F. **Council President Comments** – Mr. Tusing commented on a recent incident at the borough swimming pool where a 3 year old boy had to be pulled from the water. He stated that staff at the borough pool had responded exactly as they should have and that is a testament to the policies and procedures the borough has in place. He added that council is proud that staff responded appropriately and that there was a good outcome.

G. **Water/Wastewater Committee**

1. There were no excursions for the month of July 2015. Plant flows averaged 0.993 MGD. Mr. Kozlovac, Plant Supervisor, provided a verbal report on activities at the wastewater plant during the month.
2. **North Beech Street Stormwater**– Staff met with DEP in Pittsburgh on Thursday, August 13th for a pre-application meeting. It was determined that a permit application will be required to

continue with this project, but in a more simple form. Approval is not expected for 90 days. Therefore, it is unlikely that the project will be completed this fall. Snyder has been informed to plan on continuing work in the spring.

H. Recreation Committee

1. Tennis Center Lights

The consensus of council over the past two months is that the lighting at the Tennis Center should be replaced because of the significant annual cost savings. A photometric analysis was performed demonstrating that the illumination provided by the new LED lights would meet or exceed the existing lighting.

<u>Option</u>	<u>Cost</u>	<u>Annual Savings</u>	<u>Utility Rebate</u>	<u>Payback</u>	<u>Warranty</u>
Relamp - 1000 watt MH	\$7,563				1 year
New Fixtures - T5 Fluorescent	\$29,038	\$5,224	\$2,612	5.0 yrs.	10 years
New Fixtures - LED Option 1	\$39,222	\$7,476	\$3,738	4.75 yrs.	5 years
New Fixtures - LED Option 2	\$66,052	\$5,922	\$2,961	10.65 yrs.	10 years

Staff concurs with the recommendation of the Recreation board that we use LED Option #1 above. The materials are available from Sylvania through the State's COSTARS program. An RFP can be issued for the labor portion of the project.

Ms. Barber made a motion to issue an RFP for LED lighting of the tennis center after a photometric analysis has been completed. (Jacoby) Motion passed unanimously.

2. YPCC Fitness Equipment

The fitness equipment at the YPCC is in need of replacement. Staff has been researching replacement options and has compiled a list of necessary equipment. The cost of the equipment is \$49,239 through the State's COSTARS program. The Recreation Board is recommending that we enter into a 5-year lease at \$1,135/month with APEX, a supplier out of Altoona. At the end of the lease the equipment would be owned by the borough. The new equipment has a 10-year warranty and is expected to last for 20 years. The revenue generated in the fitness center more than covers the upgrade costs and helps pay day-to-day costs at the YPCC.

Ms. Jacoby made a motion to approve a lease/purchase for new fitness equipment with APEX in the amount of \$1,135.mo. (Lutz) Motion passed unanimously.

I. Street Committee

1. Sidewalk Project

Delozier continues to make good progress on the sidewalk project. Most work on the west end of town is already completed, and work has begun on South Center Street. Once Center Street is completed, Delozier will return to Rowena Drive to adjust the Ebensburg Oil & Gas driveway, and complete repairs and landscaping.

Borough crews are installing street light conduits and new street signs as work progresses. Several additional stormwater systems were added along the project and all have now been completed.

2. South Spruce Street One-Way

Council previously discussed the parking situation in front of 602 West High Street, currently the NAPA store. Due to the new sidewalk project plans, it was determined that the existing sight-

distance for cars entering High Street from South Spruce Street was inadequate to allow for parking in front of the building. The consensus of Council was to make the 100 block of South Spruce Street one-way, eliminating any sight distance concerns.

Mr. Lutz made a motion to grant tentative approval to Ordinance #625 making the 100 block of South Spruce Street one-way from High Street to Lloyd Street, and advertise for public inspection. (Miller) Motion carried unanimously.

3. **Hillcrest Drive Addressing**

Council discussed a proposal to readdress five properties on Hillcrest Drive. Prior to enacting the change, Council asked that the affected residents be notified of the impending change. Only one response was received, which raised a previously unknown security issue. An executive session will be conducted at the end of the meeting to finalize a decision on this matter.

J. **Administration Committee**

1. **FOP Negotiations**

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

K.

1. **Resolution #2015-06, Adoption of Sub-Recipient Agreement for Former Prison**

In the past, the borough entered into a sub-recipient agreement with Ebensburg Downtown Partners for administration of a RACP grants in connection with the downtown improvement projects. A new sub-recipient agreement is required between the Borough and the developer of the former prison, Sheldon Piepenburg.

Ms. Barber made a motion to adopt Resolution #2015-06 adopting a sub-recipient agreement between the Borough and Sheldon Piepenburg for the administration of a \$250,000 RACP Grant for development of the former county prison. (Lutz) Motion passed unanimously.

2. **Abandoned Bicycles**

The police department has collected 9 lost, stolen or abandoned bicycles that have not been claimed. The borough will hold a bicycle auction Monday, September 14th at 4 pm to try and sell the bicycles.

L. **Department Reports**

1. **Police Department** – Chief Wyland reported that it has been a busy month and that there haven't been any issues at the community events.
2. **Public Works Department** – Mr. Evans reported on last month's activities including updates at the water treatment plant, water distribution system and an update on the sidewalk projects.
3. **Community Development** – Ms. Koss reported that Concerts in the Park would wrap up on Friday along with Volunteer Appreciation Night. She added that she would be meeting with a representative of Preservation Pennsylvania to research the historic designation application that had been submitted at one time for Ebensburg.
4. **Recreation Department** – Mr. Pfeil reported on last month's activities including updates on basketball leagues, PotatoFest tournament and use of the Tennis Center.
5. **Codes Enforcement** – A monthly codes enforcement report was provided to Council.

6. **Ebensburg Municipal Authority** – A copy of the minutes of the last municipal authority meeting was included in Council’s packet.
7. **Ebensburg Planning Commission** – No activity.
8. **Ebensburg Zoning Board** – No activity.

M. **Media Comments/Questions** – Ms. Cernetich asked for a ballpark estimate on the labor costs to get the new lights up at the Tennis Center. She also asked if the owner of the NAPA Auto Parts store was happy with the decision to make the 100 block of S. Spruce Street one way therefore giving him two parking spaces in front of his business.

N. **Public Comments**

Mr. Dennis Simmers, 428 Vitura Road, thanked Council on behalf of the Northern Star Generation, for their consideration and opposition to the EPA’s proposal to limit ozone levels in all counties. He called to attention some of the local waste coal clean-up projects that Northern Star Generation has completed and also added that the corporation employees 224 full-time employees among the three stations. He added that they are customers of numerous local businesses and they pay \$314,000 in school taxes.

Mrs. Deborah Miller, 301 Tanner Street, asked Council for help in finding a solution to the noise disturbance from the new Legends Strength & Fitness Warehouse on Tanner Street.

Ms. Carol Wasser, 809 E. Crawford Street and Ms. Janice Kopitnik, 805 E. Crawford Street, agreed with Mrs. Miller that the noise level needs to be addressed and that it is causing a disturbance in the neighborhood.

Mr. V. Joseph Miller, 301 Tanner Street, added that they tried to handle the situation on their own and were unsuccessful. The noise is unbearable when the classes are going on. He added that the borough cannot enforce the ordinance because we don’t have a meter.

The consensus of Council was that staff would research noise ordinances in other communities to ensure that ours is where it needs to be.

O. **Executive Session**

Council entered into an executive session at 7:25 pm to discuss the Hillcrest Drive addressing.

P. **General Business**

Council reconvened at 7:30 pm. Mr. Lutz made a motion to readdress six properties on Hillcrest Drive. (Barber)

Roll call was taken:

Barber	Yes	Kuhar	Yes
Tusing	Yes	Jacoby	No
Lutz	Yes	Miller	No

Motion passed.

Q. **Adjournment**

There being no further business, Mr. Miller made a motion to adjourn. (Jacoby) Motion passed unanimously.

Meeting Adjourned: 7:35 p.m.

Minutes Recorded by: Danae Koss, Community Development Director