

The regular monthly meeting of the Ebensburg Borough Council was called to order on Monday, December 21, 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
Theresa Jacoby
Cecilia Houser
Dave Kuhar

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
Kelly Cernetich, The Altoona Mirror
Amber Stich, Mainline News
Randy Griffith, The Tribune Democrat

Audience: 3

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 November 23, 2015 regular monthly meeting of Borough Council.
2. Approve the Financial Statement.
3. Approve payment of bills.

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

E. **Mayor's Report** – Mayor Datsko wished everyone a Merry Christmas and Happy New Year.

F. **Council President Comments** – Mr. Tusing congratulated Joe Lutz on his eight years of service on Council. He thanked him for his commitment and passion to serving. Mr. Lutz was presented with a clock.

G. **Water/Wastewater Committee**

1. There were no excursions for the month of December 2015. Plant flows averaged 0.582 MGD. Mr. Kozlovac, Plant Supervisor, provided a verbal report on activities at the wastewater plant during the month.

H. **Recreation Committee**

1. **Composition of Recreation Board**

Ms. Jacoby shared with the board that there are currently seven seats out of nine filled on the Recreation Board and the board is requesting that the board size be reduced from nine to seven members. This will make it easier to obtain a quorum with fewer seats.

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.

Ms. Jacoby made a motion to adopt Resolution 2015-15 reducing the size of the Recreation Board from nine members to seven. (Kuhar) Motion passed unanimously.

2. Lake Rowena Pavilion

Ms. Jacoby shared with Council that there is a need to replace a 24'x 30' pavilion at Lake Rowena. It was mentioned in the budget but mistakenly omitted from the capital budget. The existing pavilion is in such poor condition that staff elected to raze it now rather than risk collapse from snow load.

A building permit will be necessary, requiring stamped drawings. Ed Pawlowski will allow the Borough to utilize a design he completed for a pavilion at Duman Lake Park, saving us thousands of dollars in design costs. The new pavilion will be 20'x 50' and borough staff will erect the new pavilion in the spring.

I. Street Committee

1. PennDOT Resurfacing

Mr. Lutz shared that PennDOT will be milling and resurfacing all state roads within the borough in the spring. As part of this project there are eight crosswalks that will need to be replaced and PennDOT is seeking the borough's input on how best to replace them. Three options have been proposed for Council's consideration and they are outlined in the agenda.

The consensus of the board was to choose option 3 – excavate and remove the red crosswalks, install new blacktop base and resurface the entire area with blacktop, then install a conventional striped thermo-plastic crosswalk.

Mr. Lutz made a motion to recommend to PennDOT option 3 relative to the crosswalks. (Houser). Motion passed unanimously.

2. Streetlight Addition

Mr. Miller stated that 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.

Mr. Miller made a motion to approve an order to Penelec for the addition of a streetlight on West High Street near New Germany Road. (Lutz)

J. Administration Committee

1. Council adopted a tentative Minimum Municipal Obligation (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.

Non-Uniformed Plan

	2014	2015	2016 Adopted	2016 Revised	2016 Recommend
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

Uniformed Plan

	2014	2015	2016 Adopted	2016 Revised	2016 Recommend
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

Ms. Barber made a motion to adopt the revised minimum municipal obligation (MMO) calculation for the uniformed pension plan in the amount of \$9,386. (Miller) Motion passed unanimously.

Ms. Barber made a motion to adopt the minimum municipal obligation (MMO) calculation for the non-uniformed pension plan in the amount of \$70,758. (Houser) Motion passed unanimously.

Ms. Barber made a motion to adopt Resolution #2015-07 continuing the employee contribution rate of 3% for the non-uniformed pension plan for 2016. (Miller) Motion passed unanimously.

Ms. Barber made a motion to adopt Resolution #2015-08 establishing the employee contribution rate of 5% for the uniformed pension plan for 2016.

Ms. Barber made a motion to adopt Resolution #2015-09 authorizing distribution of the State aid check to the respective employee pension plans.

2. Body-Worn Camera Policy

Mr. Lutz reported that the police department had 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.

Mr. Lutz made a motion to adopt Resolution #2015-14 amending the Police Department Standard Operating Procedures implementing a policy for the operation of newly acquired body-worn cameras. (Barber) Motion passed unanimously.

3. FOP Negotiations

Mr. Lutz shared 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:

- All employee benefits shall cease after six months of unpaid leave.
- Wages shall increase 2½% each year.
- The longevity shall remain at \$100/year, with the cap increased from \$1,000 to \$2,000.
- The Borough gains the authority to develop the work schedule.
- Language relative to future healthcare changes is changed from “equal to or better” to “reasonably similar to”.
- Employee healthcare contributions will increase from 4% to 8% during the contract period.
- The eye/dental benefit increases from \$225/year to \$350/year.
- Lump sum payments for accumulated sick time will only be payable upon total disability, retirement, death or permanent layoff.
- Lump sum payment for unused earned vacation will be limited to current year, except in event of total disability, retirement, death or permanent layoff.

- A new Article detailing “Break in Service” is added, limiting the Borough’s responsibility for continued benefits in certain circumstances.
- The grievance procedure was modified in the Borough’s favor.

Mr. Lutz made a motion to approve a new 4-year collective bargaining agreement with the uniformed employees. (Miller) Motion passed unanimously.

4. Recreation Director

The position of Recreation Director 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.

Ms. Jacoby made a motion to hire Samantha Kemock as the Recreation Director, effective January 4, 2016, at a salary of \$38,000. (Kuhar) Motion passed unanimously.

K. General Business

1. Upcoming Meetings

Mr. Tusing made it a matter of record that the Reorganization Meeting will be held at 6:30 pm on Monday, January 4, 2016.

2. Police Cruiser

It is 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.

L. Department Reports

1. **Police Department** – Chief Wyland reported that Officer Stoltz started back to work today after his accident and he’s doing well. He added that all of the officers completed a Use of Force training on December 10th and that they would also be taking a report-writing class and handcuffing techniques class.
2. **Public Works Department** – Mr. Evans reported on last month’s activities including updates at the water treatment plant, a leak repair along Wilmore Road, blocked mainlines in the sewer collection system and relocated water service lines. He added that the yard compost dumping and leaf collection had concluded for the year.
3. **Community Development** – Ms. Koss reported on success of the Dickens of a Christmas event and gave an update on Main Street Partnership membership renewals and historic designation project.
4. **Recreation Department** – Ms. Jacoby reported that the Recreation Board is looking forward to having the new director begin.
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 – None.**

8. **Ebensburg Zoning Board** – The zoning hearing board granted a use variance to Ronald & Noelle Laughard to operate an automobile service facility at 706 Ben Franklin Highway.
- M. **Media Comments/Questions** – Mr. Cernetich asked if the employee healthcare contributions discussed in the FOP negotiations were on a sliding scale.
- N. **Public Comments** – Mr. Lutz stated that it had been an honor and a privilege to serve the people of the Ebensburg Borough. He thanked everyone on Council for always working together toward the best course of action.
- O. **Adjournment**
There being no further business, Mr. Lutz made a motion to adjourn. (Miller) Motion passed unanimously.

Meeting Adjourned: 7:25 p.m.

Minutes Recorded by: Danae Koss, Community Development Director