

The regular monthly meeting of the Ebensburg Borough Council was called to order on Monday, January 28, 2013 at 6:30 p.m. at the Ebensburg Municipal Building, 300 W. High Street, Ebensburg, by Council President Doug Tusing.

Present: Doug Tusing, President
Deborah Nesbella, Vice President
Susan Barber
Cecilia Houser
Terry Illig
Dave Kuhar

Others: Randy Datsko, Mayor
Daniel Penatzer, Borough Manager
Dave Dodson, Public Works Director
Blair Pawlowski, Solicitor
Bernie Kozlovac, Plant Supervisor
Rose Myers, Recording Secretary
Ian Wissinger, Mountianeer-Herald

Absent: Joe Lutz

Audience: 4

A. The Pledge of Allegiance was recited.

B. **Public Comments** – None

C. **Consent Agenda**

Mr. Illig made motion to approve the consent agenda containing the following items: (Kuhar)
Motion passed unanimously.

1. Approve the minutes of the December 17, 2012 regular monthly meeting of Borough Council.
2. Approve the Financial Statement.
3. Approve payment of the bills.
4. Adopt Resolution #2013-02 repromulgating the Central Cambria Zone Emergency Operation Plan.

D. **Appointment to Address Council**

1. Mr. Penatzer made a recommendation that the collection of local service tax (LST) be transferred to Berkeimer Associates. He stated LST nets approximately \$85,000 annually. It is an employer-deducted tax and it makes sense to have it collected by the same firm that the employer is forwarding the EIT to. Berkheimer is in a position to apply the same cross-checks between the LST returns and the EIT returns. When taxpayers recognize that the records will be cross-checked,

compliance will be increased. He also stated the commission rate for Berheimer to collect LST is 2.05%. The local tax collector is currently paid 4%, or a \$3,400 annual commission for LST. Nichole Ream, Tax Collector, discussed the recommendation by the Borough Manager to transfer the local services tax to Berkheimer Associates. She feels the Borough tax payers appreciate the personal touch that they get when they come to the Borough Office or speak to her on the phone. Residents are able to get same-day answers and copy of receipts more easily. She also stated that Borough residents have no complaints about the way it is now handled. Council members discussed both and it was the consensus of council members to continue to have the local tax collector collect the LST.

E. Mayor's Report

1. Mayor Datsko thanked Chief Wyland for buying a ticket for a bus passenger and her 15 month old child that were traveling and got stranded in town without money.
2. A bike event is planned for May 11th that would utilize the ghost town trail.

F. Council President-None

G. Water/Wastewater Committee

1. Mr. Kozlovac, Plant Supervisor, provided a verbal report on activities at the wastewater plant during the month. There were no excursions for the month of December, 2012. Plant flow averaged 1.065 mgd.
2. The design for the Crestwood water project is completed and awaiting DEP approval. New water lines are being installed on Triumph and Reddinger Street. Walls are being constructed for the Clarifier Building. 16" influent and effluent lines to DAF clarifier and air lines for the filter air scour system are being installed.
3. The new meters will be ready the beginning of March. Mr. Penatzer would like to start advertising for temporary employees and start installation of meters on March 15.

H. Recreation Committee

1. Mr. Illig made a motion to appoint Cecilia Houser to a 5-year term on the Ebensburg Recreation Board. (Kuhar) Motioned passed unanimously.
2. The audit to review internal controls of the Ebensburg Recreation Department was done by Wessel & Company. The audit found no signs of inappropriate activity. It included several recommendations for improvement, which were discussed.

I. Street Committee

1. The police department suggested that the \$5 fine for violation of the winter parking regulations be increased to \$15 (\$35 after 7 days). While amending the Ordinance #604, it was also recommended that the fine for meter violations be increased to \$5 (\$8 after 7 days). Ms. Houser made a motion to grant tentative approval to an amendment to Ordinance #604 increasing the two fines. (Illig). Roll call was taken:

Tusing	No	Nesbella	Yes
Barber	Yes	Houser	Yes
Illig	Yes	Kuhar	Yes

Motion passed 5-1.

J. Administration Committee

The part-time maintenance position was advertised. Dave Dodson interviewed 7 of the 41 applicants and made a recommendation. Mrs. Barber made a motion to hire F. Joseph McFadden for a part-time maintenance position, effective 1/7/2013, at the rate of \$15/hr. (Illig). Motion carried unanimously.

K. General Business

1. Ebensburg Main Street Partnership

After speaking to accounting and insurance professionals it was recommended that the EABC be dissolved and the new Ebensburg Main Street Partnership be the sole entity to achieve the same purpose as the EABC and function in the same manner as the business commission did. Council discussed the matter and recommended Atty. Pawlowski review this for any legal issues.

2. Planning Commission Fees

Effective January 1, 2013 the planning commission will begin assessing fees for reviews initiated by landowners for applications submitted to the borough for subdivisions and land developments that must be reviewed by the Cambria County Planning Commission in accordance with the Municipalities Planning Code. In the past the reviews have been free. Mrs. Barber made a motion to amend the fee assessed for subdivision and land development applications to include the new fee assessed by the Cambria County Planning Commission (Kuhar). Motion carried unanimously.

3. Emergency Energy Demand Response Program

A five year agreement will be entered into that would enable large electric customers of Penelec to be paid for being available to reduce electricity consumption when possible and the reliability of the electric grid is in jeopardy and voltage reductions and rolling brownouts are imminent. In exchange for being available to shed load, we will receive \$10,318 in the first year, \$5,725 the second year, and \$6,862 the third year. Subsequent payments are estimated to be \$13,604 and will be made quarterly to the borough.

Mr. Illig made a motion to adopt the Demand Response Sales Agreement with EnerNOC (Barber). Motion carried unanimously.

4. Cambria 9-1-1 would like the alley that is between Reddinger and Mike Illig's apartments named in case of an emergency. Council members were asked to submit any suggested names to the office.

L. Department Reports

1. Police Department

Chief Wyland provided a written report on last month's activities.

2. Public Works Department

Mr. Dodson reported on last month's activities of staff maintenance including the progress of the water project, the injured employee returned to work and the new employee started.

3. Community Development

The Borough manager reported on the community development activities during the month. Art in Bloom is ahead of schedule and the event committee volunteers are prepared to handle early preparation of the event. Paper work is being handled by Rose Myers.

4. Recreation Department

Recreation Director Matt Pfeil provided a verbal report on the recreation department's activities during the month. New programs have begun. Basketball has started back up and the Health & Wellness facility is doing exceptionally well.

M. Media Comments/Questions - None

N. Public Comments – Mike Illig commented on forms received from Berkheimer.

O. Executive Session

Council entered into an executive session at 7:36 p.m. to discuss filling the vacant Community Director position. The public meeting reconvened at 8:05 p.m.

There being no further business Mr. Illig made a motion to adjourn. (Barber) Motion passed unanimously.

Meeting Adjourned: 8:05 PM

Minutes Recorded by:

Rose Myers,
Recording Secretary