

The regular monthly meeting of the Ebensburg Borough Council was called to order on Monday, December 17, 2018 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  
Theresa Jacoby  
Dave Kuhar  
Cecilia Houser  
John Cobaugh

Absent: Scot May

Others: Daniel Penatzer, Borough Manager  
Blair Pawlowski, Solicitor  
Randy Datsko, Mayor  
Terry Wyland, Chief of Police  
Danea Koss, Community Development Director  
Dirk Johnson, Recreation Director  
Jocelyn Brumbaugh, The Tribune Democrat

Audience: 18

A. The Pledge of Allegiance was recited.

B. **Public Comments** – Mr. Tusing stated that he misspoke at the Public Hearing and said that the rezoning request would be decided at this Council meeting, however, Council needed more time to review some of the items that were brought up, and it will now be discussed at the January meeting.

C. **Consent Agenda**

Ms. Barber made a motion to approve the consent agenda containing the following items. (Cobaugh) Motion passed unanimously.

1. Approve the minutes of the November 26, 2018 regular monthly meeting of Borough Council and the December 3, 2018 public hearing.
2. Approve the Financial Statement.
3. Approve payment of bills.
4. Schedule the 2019 Council meetings for the 4<sup>th</sup> Monday of each month at 6:30 pm, with exception of May and December, which will be held on the third Monday.
5. Designate First National Bank, First Commonwealth Bank and PLGIT as depositories for 2019.

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

E. **Mayor's Report** – Mayor Datsko shared that he has been diagnosed with prostate cancer and urged men 50 and over to get checked.

F. **Council President** – None.

G. **Water/Wastewater Committee**

1. **Report from Inframark on Wastewater Plant Operations**

Mr. Kuhar reported that Mark Wirfel, plant supervisor, provided a written report of plant activities which included 42 million gallons of clean water returned to Howells Run, 13 tons of sludge was sent to landfill, and there were no excursions for the month of November.

H. **Recreation Committee** – None.

I. **Street Committee** – None.

J. **Administration Committee**

1. **AFSCME Labor Agreement**

Ms. Barber reported that the administrative committee, after seven negotiating sessions, and having issued its last best offer, has failed to reach an agreement with AFSCME. No further sessions are scheduled.

2. **FOP Supplemental Agreement**

Ms. Barber reported that the FOP Bargaining Agreement stipulates graded pay for new police officers of 75%/85%/95% over the first three years of employment. Due to Huber's experience, an adjustment to 90% for the second year is recommended, and then 100% in the third year. The supplemental agreement does not create a precedent for future hires. The proposal is included in the draft budget.

Ms. Barber made a motion to approve a supplement to the FOP Bargaining Agreement approving a pay adjustment to Officer Huber, effective 4/7/2019. (Houser) Motion passed unanimously.

3. **2019 Salary Resolution**

Ms. Barber reported that a Resolution is adopted each year to establish the wages to be paid to borough employees, as recommended by the administrative committee, reviewed last month with Council, and included in the 2019 budget. AFSME wages remain at 2018 levels, pending approval of a new labor agreement. The FOP agreement has a 2.5% increase. All non-union staff have a 3.0% increase.

Ms. Barber made a motion to approve Resolution #2018-12 establishing wages for 2019. (Kuhar) Motion passed unanimously.

**K. General Business**

**1. Appointments to Boards and Commissions**

1. Reappoint Renee Martin-Nagle to a 5- year term on the Ebensburg Municipal Authority, expires 12/2023.
2. Reappoint Bruce Hultman to a 4-year term on the Ebensburg Planning Commission, expires 12/2022.
3. Reappoint Barry Templeton to a 3-year term on the Zoning Hearing Board, expires 12/21.
4. Reappoint Harold Eckenrod as alternate on the Zoning Hearing Board, expires 12/2019.
5. Reappoint Philip Woo and Charles Marcinko to 5-year terms on the Ebensburg Recreation Board, expires 12/2023.
6. Reappoint Matt Shutty to 5-year terms on the Ebensburg Main Street Partnership, expires 12/2023.
7. Appoint Nick Damin to a new 5-year term (Liscomb) on the Ebensburg Main Street Partnership, expires 12/2023.
8. Appoint Jessica Lieb to complete a 5-year term (Strenko) on the Ebensburg Main Street Partnership, expires 12/2020.
9. Appoint Tim Myers as alternate on the Ebensburg Civil Service Commission, expires 12/2019.
10. Reappoint Charlie Moyer as Chairman of the Ebensburg Vacancy Board, expires 12/2019.
11. Appoint John Hawksworth and Chief Mike Sheehan to 1-year terms on the Central Cambria Emergency Management Council, expires 12/2019.
12. Appoint Borough Manager as delegate to the Cambria/Somerset Council of Governments.
13. Appoint Borough Manager as delegate to the Cambria County Tax Collection Committee.
14. Appoint CCSD Business Manager as alternate to the Cambria County Tax Collection Committee.
15. Appoint Tracy Strom as delegate to the Laurel Municipal Inspection Agency.
16. Appoint Borough Manager as alternate to the Laurel Municipal Inspection Agency.
17. Appoint Tracy Strom as delegate to the Cambria County Sewage Enforcement Agency.
18. Appoint Borough Manager as alternate to the Cambria County Sewage Enforcement Agency.

Ms. Houser made a motion to approve the listed appointments to Boards, Commissions and Authorities. (Jacoby) Motion passed unanimously.

2. **Sidewalk Ordinance**

Mr. Penatzer reported that Council adopted Ordinance #643 amending where sidewalks are required within the borough. Since then, Council has approved changes along East Sample Street, between Sugar and Roberts Streets. Ordinance #646 was granted tentative approval last month, was advertised for public inspection and is ready for adoption.

Mr. Kuhar made a motion to grant final approval to Ordinance #646 amending where sidewalks are required. (Houser) Roll call was taken:

Jacoby – No	Tusing – Yes	
Houser – Yes	Barber – Yes	
Cobaugh – Yes	Kuhar – Yes	Motion passed.

3. **2019 Fee Resolution**

A Resolution is required each year to establish fees to be charged for various services for the coming year. There are no changes in fees proposed.

Ms. Houser made a motion to adopt Resolution #2018-11 establishing the fees to be charged in 2019 for various purposes. (Kuhar) Motion passed unanimously.

4. **Middle School Field Rezoning**

Mr. Tusing reported that a public hearing was held on December 3rd relative to a request to partially rezone the former middle school field. The planning commission had earlier deferred making a recommendation until after the public hearing. The matter has been referred back to the planning commission for review on January 3<sup>rd</sup>. A legal opinion is also sought concerning spot zoning.

5. **Truck Purchase**

The replacement of a 1999 International truck with salt spreader and plow is budgeted. Staff recommends that a new 2020 truck be purchased off the State bid list from Tri-County Motors in Johnstown. The truck will not be delivered until summer of 2019. The 1999 truck will be advertised for sale at that time.

Ms. Barber made a motion to approve purchase of a 2020 International truck with spreader and plow from Tri-County Motors at a cost of \$167,650. (Houser) Motion passed unanimously.

6. **Natural Gas Supplier**

Mr. Kuhar reported that the Borough's current supplier for natural gas is American power & Gas, at \$5.35 per MCF. Quotes were sought through a broker. The lowest cost is \$3.99 per MCF through Dominion Energy for supply of natural gas.

Mr. Kuhar made a motion to approve a 3-year fixed rate contract with Dominion Energy for supply of natural gas. (Houser) Motion passed unanimously.

**L. Department Reports**

1. **Police Department** – Chief Wyland reported that scheduling has been a struggle as an officer out on long-term sick leave. He added that the Turkey Trot was very busy with around 658 participants this year.
2. **Public Works Department** – Mr. Evans reported that they have been busy with the sewer project and fixing breaks, marking water and sewer main lines and the yard waste bin has been removed and leaf picker put away for winter.
3. **Community Development Department**  
Ms. Koss thanked everyone who participated in this year's Dickens of a Christmas, as well as all those that help with community events throughout the year. She added that the January Newsletter was sent to the printer and should be arriving in mailboxes in early January.
4. **Recreation Department** – Mr. Johnson reported that Breakfast with Santa during Dicken's weekend was very successful with over 400 people attending and he thanked the Woman's Club for a great event. He added that the basketball leagues would be starting up in January with 50 teams and that games will go through the end of March.

**M. Media Comments/Questions**

Ms. Brumbaugh from The Tribune Democrat asked if the Planning Commission would be making a recommendation to Council.

- N. **Public Comments** – Ms. Donna Visa, 209 E. Horner Street, asked if any of the Council members had any interests in the Central Commons LLC project.

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

Meeting Adjourned: 6:45 PM

Minutes Recorded by: Danae Koss, Community Development Director