

The regular monthly meeting of the Ebensburg Borough Council was called to order on Monday, March 25, 2019 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
Cecilia Houser
Scot May
John Cobaugh
Dave Kuhar

Others: Daniel Penatzer, Borough Manager
Randy Datsko, Mayor
Blair Pawlowski, Solicitor
Terry Wyland, Chief of Police
Jeff Evans, Public Works Director
Danea Koss, Community Development Director
Dirk Johnson, Recreation Director
Andrew Smithmyer, The Mountaineer Herald
Jocelyn Brumbaugh, The Tribune Democrat

Audience: 6

A. The Pledge of Allegiance was recited.

B. **Public Comments** – None.

C. **Consent Agenda**

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

1. Approve the minutes of the February 25, 2019 regular monthly meeting of Borough Council.
2. Approve the Financial Statement.
3. Approve payment of bills.
4. Approve advertising for bids for the sale of a 2007 mower, a 2008 pickup truck, and a 1999 International dump truck.

D. **Appointment to Address Council**

1. Dauntless Fire Company Chief Mike Sheehan, and President Ron Springer provided an annual report of activities to Council.

E. **Mayor's Report** – Mayor Datsko reported that there have been a lot of complaints about people running stop signs and added that the police will be paying closer attention to this.

F. **Council President** – None.

G. **Water/Wastewater Committee**

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

Mr. Mark Wirfel, plant supervisor, provided a written report of plant activities, which included 43 million gallons of clean water returned to Howells Run, 16.2 tons of sludge sent to landfill, and there were no excursions for the month of February.

2. **Wastewater Project**

Ms. Houser reported that the project is progressing and is 46% complete; however, 66% of the contact time as elapsed.

3. **Stormwater Project**

Mr. May reported that the two stormwater projects to be completed prior to street paving in the south section of town were advertised for bid. The projects are at East Ogle Street and South Julian Street.

The following bids were received:

Whitehorse Excavating, Berlin, Pa	\$155,200.00
Snyder Excavating, Johnstown, Pa	\$157,790.00
Ray Winters & Sons, Inc., Indiana, Pa	\$164,880.00
Ventura Construction, Altoona, Pa	\$166,935.00
Dave Roman Excavating, Reynoldsville, Pa	\$197,471.00
Oppy Construction, Johnstown, Pa	\$302,710.58

The project estimate was erroneously \$85,000. Street restoration and the cost of the new storm basins were omitted from the project estimate. The bids do represent an appropriate cast for the project. The project schedule is as follows;

Bid Award: March 25, 2019

Notice to Proceed: March 26, 2019

Project Completion: June 30, 2019

Mr. May made a motion to approve awarding a contract to Whitehorse Excavating for stormwater improvements on East Ogle Street and South Julian Street, in the amount of \$155,200.00 (Cobaugh) Motion passed unanimously.

4. **Virginia Street**

Mr. Kuhar reported that the Virginia Street project involves the replacement of approximately 534 feet of 8" main and one manhole, connecting to an existing manhole at the east end of the street.

The following bids were received:

Kevin Lute, Ebensburg, Pa	\$49,900.00
Whitehorse Excavating, Berlin, Pa	\$57,250.00
Snyder Excavating, Johnstown, Pa	\$64,890.00
Dave Roman Excavating, Reynoldsville, Pa	\$89,848.00

Mr. Kuhar made a motion to approve awarding a contract to Kevin Lute for sewer main replacement along Virginia Street, in the amount of \$49,900.00. (Houser) Motion passed unanimously.

5. Wastewater Rules & Regulations

Mr. Kuhar reported that the Ebensburg Municipal Authority has amended the Wastewater Rules and Regulations as follows:

1. An escalating scale was added to the surcharge. For customers who fail to satisfy the deadline for required remedial work, a 35% surcharge is assessed. Now, that surcharge will increase every two months to 50%, 75%, and up to 100%. This will allow a full year after the deadline for repairs to be made before a notice of service termination would be issued. This does not require an Ordinance amendment, as the current language states, when referring to a surcharge, “as determined from time to time by the Authority.”
2. The minimum escrow amount was increased from \$2,000 to \$3,000 to more closely reflect our actual experience with costs. Instead of stating a specific amount, the proposed Ordinance amendment requires “security in the amount, established from time to time by the Rules and Regulations of the Ebensburg Municipal Authority”, negating the need for future Ordinance amendments for this purpose.
3. Allow the purchaser of property to assume responsibility for required repairs/testing.
4. Delete a reference to SCH 40 pipe. It is not permitted. SDR 35 pipe is required. (not addressed in Ordinance)
5. Update the sewer lateral installation detail sketch. (not addressed in Ordinance)

Mr. Kuhar mad a motion to grant tentative approval to Ordinance #650, amending the Wastewater Ordinance to reflect changes to the Rules and Regulations adopted by the Ebensburg Municipal Authority, and advertise for public inspection. (Houser) Motion passed unanimously.

H. Recreation Committee – None.

I. Street Committee

1. Union Street Parking

Ms. Houser reported that parking regulations on Union Street have been amended several times over the years. It is a very difficult street to plow and sweep, especially at the intersection of Locust Street. The current regulations ban parking at any time on the north side, and prohibit parking on south side during winter months. Staff recommends that parking be banned at all times on the street. There is only one residence on that street and it has off-street parking available. In addition, Ordinance #649 designates Union Street as a tow-away zone. Additionally,

Ms. Houser made a motion to grant tentative approval to Ordinance #649, prohibiting parking on Union Street at any time, and designating it as a tow-away zone, and adding a four-way stop sign at Ogle and South Julian Streets. (Jacoby) Motion passed unanimously.

2. Sidewalk & Curb Project

Mr. Penatzer explained that the sidewalk and curb project in areas south of High Street was advertised for bids. It is to be completed prior to street paving in the south section of town.

The following bids were received:

	<u>Curb/LF</u>	<u>Sidewalk/SY</u>	<u>Total</u>
Kishmo, Inc., Apollo	\$57.00	\$128.00	\$461,672.00
Gulisek Construction, Mt. Pleasant	\$65.50	\$180.00	\$579,228.00

Glenn Hawbaker Inc., State College	\$61.65	\$196.85	\$585,778.40
Ventura Construction, Altoona	\$93.00	\$161.00	\$682,448.00
Gordon DeLozier Inc., Hollidaysburg	\$116.00	\$145.00	\$768,616.00

The project estimate was \$375,000. While the curb cost is close to the estimate, the cost of sidewalk is substantially higher. The sidewalk cost in the two most recent projects in 2013 and 2015 was \$78 and \$83, respectively. Despite the higher than anticipated bids, staff recommends that the contract be awarded. The low bid is substantially below the other four bids, and there is no reason to believe that rebidding will result in a lower cost.

Council may choose to fix a sidewalk assessment that is closer to the costs previously paid by property owners in earlier projects. Staff suggests that an assessment of \$100/sq. yd. might be appropriate. That would mean that the Borough would be incurring approximately \$41,440 in additional costs.

The net cost for this project to the Borough, after property owner assessments, is \$270,700 (assuming the lower assessment is approved). While a loan will be required for future sidewalk work north of High Street, debt will not be required for this project.

The project schedule is as follows:
 Bid Award: March 25, 2019
 Notice to Proceed: March 26, 2019
 Project Completion: August 1, 2019

Mr. Kuhar made a motion to approve awarding a contract to Kishmo, Inc. for a sidewalk and curb project on South Caroline Street, South Marian Street and West Triumph Street in the amount of \$461,672.00. (Barber) Roll call was taken:

Jacoby	Yes	Kuhar	Yes	Cobaugh	Yes
May	No	Barber	Yes	Houser	Yes
Tusing	Yes				

Motion passed 6 – 1.

Ms. Houser made a motion to fix a lower property owner assessment to \$100/sq. yd. (Kuhar) Motion passed unanimously with abstentions from Mr. Tusing and Mr. May.

J. Administration Committee

1. Summer Applications

Ms. Barber reported that applications for summer positions were due on March 18th and staff reviewed those. The following are recommended for summer employment:

Office Assistant

Jocelyn Rainey Tanner Street

Summer Maintenance

Dontae O’Neal	Manor Drive	3 rd yr.
Evan Becquet	New Germany Road	2 nd yr.

Alex Koenigsberg	East High Street	1 st yr.
<u>Landscaping Assistant</u>		
Elisabeth Keim	Colver Road	1 st yr.
<u>Summer Public Works</u>		
Sebastian Brown	Wood Avenue	1 st yr.
Christopher Walters	Horseshoe Drive	1 st yr.
Brendan Johnson	Tanner Street	1 st yr.
<u>Memorial Field</u>		
Brandon Frank	Nanty Glo	1 st yr.
<u>Swimming Pool Manager</u>		
Madyson Simmers	Vetera Road	6 th yr.
<u>Lifeguards</u>		
Zander Johnson	East Highland Avenue	5 th yr.
Nolan Johnson	East Highland Avenue	4 th yr.
Allyson Simmers	Vetera Road	3 rd yr.
Samuel Swope	Emerald Drive	3 rd yr.
Ian Swope	Portage	2 nd yr.
Zachary Malay	North West Street	1 st yr.
Matthew Gauden	Myers Street	1 st yr.
Darron Koss	Tanner Street	1 st yr.
Karson Johnson	East Highland Avenue	1 st yr.
Caitlin Cochran	1 st Street, Colver	1 st yr.
Seth Farabaugh	Adams Avenue	1 st yr.
Serena Koss	Truman Street	1 st yr.
Elizabeth Bopp	Winterset Road	1 st yr.
Tina Hildebrand	BelAir Road	1 st yr.
Kendra Fox	Wilmore Road	1 st yr.
Abby O'Brien	North Spruce Street	1 st yr.

Ms. Barber made a motion to make it a matter of record that the persons listed above have been hired to the respective positions in public works, summer maintenance, Memorial Field, lifeguards, landscaping and office assistant at the rate of \$8.50/hr. (Kuhar) Motion passed unanimously.

Ms. Barber made a motion to make it a matter of record that Madyson Simmers has been hired as Pool Manager at the rate of \$12.50/hr. (Kuhar) Motion passed unanimously.

Ms. Barber made a motion to make it a matter of record that Ronald Springer has been hired as landscaper at the rate of \$10.00/hr. (Cobaugh) Motion passed unanimously.

K. General Business

1. Truck

Mr. Penatzer reported that it is necessary to replace the 2008 Ranger pickup truck. The only small

pickup truck made today is a Nissan. As that class truck is not on the State bid list, bids were advertised.

Ms. Barber made a motion to approve purchase of a 2019 Nissan Frontier from Laurel Nissan at a cost of \$28,453. (Houser) Motion passed unanimously.

2. **Ebensburg Airport**

Mr. Penatzer shared that a proposal has been presented to Council's administrative committee relative to the future of the Ebensburg Airport. Because the issue would ultimately involve the sale or lease of the property, little can be made public at this point. The consensus of Council is to refer the matter to the administrative committee for further consideration.

L. **Department Reports**

1. **Police Department** – Chief Wyland reported that there have been complaints of people running stop signs and not stopping at the crosswalks. He added that Little League is starting and more kids will be out on bikes and asked drivers to use caution while driving through town.
2. **Public Works Department** – Mr. Evans reported that DEP has scheduled an evaluation and new meters were recently installed. The crew is working on water breaks related to the sewer install and water leaks are higher than normal. They have also been marking water and sewer main lines, and the street sweeper is currently being repaired.
3. **Community Development Department**
Ms. Koss reported on the upcoming deadline for Art in Bloom entries and overall event update, Wheels & Wings confirmed sponsorships, PotatoFest application opening and the \$50,000 grant that was recently awarded to the borough to implement another façade improvement project.
4. **Recreation Department** – Mr. Johnson reported on two upcoming events that students of the Tennis Center will be competing – one in California and one in Abu Dhabi. He added that Frank Burns will once again host a breakfast with the Easter Bunny at the YPCC on April 14th.

M. **Media Comments/Questions**

Ms. Brumbaugh of The Tribune Democrat asked if the airport has plateaued since the meeting a few years back, if the borough provides financial support to the airport, if the interest in the airport is because of the development along the route 22 corridor and if Council anticipates a vote.

N. **Public Comments** – None.

- O. **Executive Session** – Council entered into an executive session at 7:30 pm to discuss the airport issue and the submission of an offer for the purchase of a property.

Council exited the executive session and there being no further business Ms. Jacoby made a motion to adjourn. (Houser) Motion passed unanimously.

Meeting Adjourned: 8:07 PM

Minutes Recorded by: Danae Koss, Community Development Director