

The regular monthly meeting of the Ebensburg Borough Council was called to order on Monday, December 21, 2020 at 6:32 p.m. via Zoom, by President, Doug Tusing.

Present: Doug Tusing, President  
Dave Kuhar, Vice President  
Theresa Jacoby  
Scot May  
Mike Owatt  
Cecilia Houser  
Will Westrick, Jr. Councilor  
Absent: Jeff Ball  
Others: Randy Datsko, Mayor  
Daniel Penatzer, Borough Manager  
Blair Pawlowski, Solicitor  
Danea Koss, Community Development Director  
Dirk Johnson, Recreation Director  
Jeff Evans, Public Works Director  
Kristen Baudoux, The Mountaineer Herald  
Mark Pesto, The Tribune Democrat  
Derek Kaufman

Audience: 2

A. The Pledge of Allegiance was recited.

B. **Public Comments** – None.

C. **Consent Agenda**

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

1. It is a matter of record that Adam Kush has been hired as a tennis assistant effective 12/11/2020.
2. Approve the minutes of the November 23, 2020 regular monthly meeting of Borough Council.
3. Approve the Financial Statement.
4. Approve payment of bills. Mr. Tusing abstained on voting on amount owed to him.
5. Schedule the 2021 Council meetings for the 4<sup>th</sup> Monday of each month at 6:30 pm, with exception of December, which will be held on the 3<sup>rd</sup> Monday.
6. Designate First National Bank, First Commonwealth Bank, AmeriServ Financial Bank, 1<sup>st</sup> Summit Bank and PLGIT as depositories.

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

E. **Mayor's Report** – Mayor Datsko shared that Chief Wyland reported that the police have started issuing warnings for winter parking and shoveling violations. He also reminded residents that the whole width of the sidewalk needs to be cleared, not just a shovel-width.

F. **Council President** – Mr. Tusing shared that at the November meeting Council had voted too soon on a zoning amendment. He stated that it would be corrected. Mr. Tusing also reported that he had been asked about the borough's Covid-19 response and he reported that the borough's recommendation is that residents should follow the guidelines set forth by the Department of Health and the CDC. He added that the police will fully enforce mandatory restrictions.

H. **Water/Wastewater Committee**

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

Mr. Kuhar reported that Inframark provided written reports for wastewater plant and they were provided in Council's packets.

2. **Report from Inframark on Water Treatment Plant Operations**

Mr. Kuhar reported that Inframark provided written reports for the water plant and they were provided in Council's packet.

I. **Recreation Committee** – None.

J. **Street Committee**

1. **2021 Sidewalk Project**

Ms. Houser reported that the 2021 sidewalk and curb project involves West Sample Street, West Crawford Street and West Horner Street and is ready for bidding. If a contract is awarded in February, work can begin as soon as weather permits. Subsequent street resurfacing should be completed in early fall.

Ms. Houser made a motion to authorize the seeking of bids for the 2021 sidewalk project. (Owatt) Motion passed unanimously.

2. **2021 Sidewalk Project**

Ms. Houser reported that there are twenty-nine trees to be removed along the 2021 sidewalk project. Ms. Houser made a motion to authorize the seeking of bids for tree removal for the 2021 sidewalk project. (Kuhar) Motion passed unanimously.

K. **Administration Committee**

1. **Borough Manager Retirement**

Mr. Kuhar reported that nineteen applications were received for the Borough Manager position and four interviews have been conducted. The committee will enter into an executive session following the Council meeting and hopes to agree on a candidate in early January, which will allow for a February 22<sup>nd</sup> start date.

**2. Non-Uniform Pension Plan**

Ms. Jacoby reported that Ordinance #658 was granted tentative approval last month. It amends the non-uniform employee pension plan by creating a defined-contribution plan for new hires. The Ordinance has been advertised for public inspection and is ready for final adoption.

Ms. Jacoby made a motion to grant final approval to Ordinance #658 amending the Non-Uniform Pension Plan to include a defined-contribution component for new hires.

(Houser) Motion passed unanimously.

- L. **Diversity Committee** – Mr. May reported that the Diversity Committee members are still in talks with the local universities to explore the idea of hosting diversity “TED Talks” in Ebensburg.

**M. General Business**

**1. Zoning Amendment, Fences**

Mr. Tusing reported that Ordinance #659 was proposed last month amending the Zoning Ordinance relative to front yard fences. He added that it is necessary to conduct a public hearing prior to adopting any zoning amendment and the manager had mistakenly indicated last month that a public hearing is required only for a map change. A public hearing has been scheduled for Monday, January 18<sup>th</sup> at 6:30 pm via teleconference.

Mr. Kuhar made a motion to rescind last month’s tentative approval of Ordinance #660 amending the Ebensburg Borough Zoning Ordinance relative to fences. (May) Motion passed unanimously.

Ms. Houser made a motion to advertise for a public hearing relative to Ordinance Zoning Ordinance #659. (Kuhar) Motion passed unanimously.

**2. Appointments to Board and Commissions**

1. Appoint Heather Abbs to a 5- year term on the Ebensburg Municipal Authority, expires 12/2025 (replacing Tusing).
2. Appoint Jessica Lieb to a 4-year term on the Ebensburg Planning Commission, expires 12/2024 (replacing Delauter).
3. Reappoint Margaret Stephan to a 3-year term on the Zoning Hearing Board, expires 12/2023.
4. Reappoint Nick Damin to a 4-year term on the Ebensburg Planning Commission, expires 12/2024.
5. Appoint Kristen McRoberts to a 5-year term on the Ebensburg Recreation Board, expires 12/2025 (replaces Rummel).
6. Appoint Tim Myers as alternate on the Ebensburg Civil Service Commission, expires 12/2021.

7. Reappoint Charlie Moyer as Chairman of the Ebensburg Vacancy Board, expires 12/2021.
8. Appoint John Hawksworth and Chief Mike Sheehan to 1-year terms on the Central Cambria Emergency Management Council, expires 12/2021.
9. Appoint Borough Manager as delegate to the Cambria/Somerset Council of Governments.
10. Appoint Borough Manager as delegate to the Cambria County Tax Collection Committee.
11. Appoint CCSD Business Manager as alternate to the Cambria County Tax Collection Committee.
12. Appoint Tracy Strom as delegate to the Laurel Municipal Inspection Agency.
13. Appoint Borough Manager as alternate to the Laurel Municipal Inspection Agency.

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

## 2. Dog Law Officer

Mr. Penatzer reported that Officer Roberts continued to serve as Ebensburg's Dog Law Enforcement Officer after his retirement and his subsequent part-time service. Since his service ended earlier this year, a new dog law officer must be appointed. This item will be deferred until Council's next meeting.

## M. Department Report

1. **Police Department** – Mayor Datsko reminded residents that snow should not be pushed into the streets.
2. **Public Works Department** – Mr. Evans gave an update on the public works department activities including snow removal and maintenance, decorations and updates on water leaks.
3. **Community Development Department** – Ms. Koss thanked everyone who participated in shopping small during Small Business Saturday weekend and everyone who entered the Shop Small contest. She also thanked all the businesses that participated in the decorating contest and everyone who took part in voting. She also thanked Dauntless Fire Company for working together with the Ebensburg Main Street Partnership to hold a Roving Christmas parade in place of our traditional parade. She added that the Borough Newsletter was at the printer and would be arriving in mailboxes in mid-January.
4. **Recreation Department** – Mr. Johnson reported that there were no updates on the skatepark discussion and that the YPCC and Tennis Center would be closed until January 4<sup>th</sup>.

N. **Media Comments/Questions** – None.

O. **Public Comments** – None.

P. **Executive Session** – Council entered into Executive Session at 7:05 pm for the purpose of discussing the manager search process.

Q. **Adjournment** – There being no further business, Mr. Kuhar made a motion to adjourn. (Houser) Motion passed unanimously.

Meeting Adjourned 7:35 PM

Minutes Recorded by: Danae Koss, Community Development Director