

The regular monthly meeting of the Ebensburg Borough Council was called to order on Monday, October 25, 2021 at 6:30 p.m. in the Council Room of the Ebensburg Municipal Building by President, Doug Tusing.

Present: Doug Tusing, President
Dave Kuhar, Vice President
Theresa Jacoby
Scot May
Cecilia Houser
Mike Owatt
Jeff Ball
Will Westrick, Junior Councilor

Others: Kelly Cook, Borough Manager
Randy Datsko, Mayor
Terry Wyland, Chief of Police
Blair Pawlowski, Solicitor
Danea Koss, Community Development Director
Dirk Johnson, Recreation Director
Gerry McMullen, Municipal Authority
Ron Portash, The Mountaineer Herald
Katie Smolen, The Tribune Democrat

Audience: 1

- A. The Pledge of Allegiance was recited.
- B. **Public Comments** – Mr. Gerry McMullen voiced concerns over agenda item 8D – consideration of an Ordinance deleting Julian Street as a one-way street.
- 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 Emma Dumm and Ian McGrorey were hired part-time at the YPCC and Tennis Center at the rate of \$8.50/hour.
 2. Approve the minutes of the September 27, 2021 regular monthly meeting of Borough Council.
 3. Approve the financial statement.
 4. Approve payment of bills.
- D. **Appointment to Address Council** – None.
- E. **Consideration of Any Motion(s) To Amend Agenda** – None.
- F. **Mayor's Report** – Mayor Datsko reported that rather than rush the winter parking changes through this year, the group that met to discuss those changes were going to hold off until Spring so they can monitor through the winter.

G. **Council President** – Mr. Tusing reported that Election Day is next Tuesday, November 2nd and there are several seats open within the Borough. Mr. Tusing encouraged everyone to vote and make their voice heard.

H. **Water/Wastewater Committee**

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

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

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

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

3. **Consider agreement with Inframark to allow them to utilize Borough equipment to assist Public Works in locating leaks within the distribution system**

The proposed agreement prepared by the Solicitor was revised to include only Borough permission for Inframark's use of the equipment to locate leaks in the distribution system. Mr. Kuhar made a motion to approve the revised agreement with Inframark. (May) Motion passed unanimously.

I. **Recreation Committee**– None.

J. **Street Committee**

1. **2021 Paving Project**

Mr. Ball reported that New Enterprise completed the milling and paving of the northwest quadrant of the borough on September 28, 2021.

2. **Ordinance 659**

Mr. Ball reported that an Ordinance establishing procedures and requirements pertaining to the implementation of Act 50 of 2021 and regulating small wireless facilities to be placed within the public right-of-way. The proposed Ordinance received tentative approval last month and has been advertised for public inspection and is ready for final adoption.

Ms. Houser made a motion to grant final approval to Ordinance #659 establishing procedures and requirements pertaining to the implementation of Act 50 of 2021 and regulating small wireless facilities to be placed within the public right-of-way. (Kuhar) Motion passed unanimously.

3. **2021 Sidewalk Project – Change Order #1 to Ameron Construction**

Mr. Owatt reported that additional work was performed by Ameron in two areas which were not envisioned in the bid specifications. 1.) Horner Street had concrete under the asphalt that needed to be removed for curb installation for approximately 1,200 feet. The concrete could not be saw-cut, but rather had to be jack-hammered. This additional work significantly increased Ameron's amount of manpower and equipment time. 2.) The bid specifications were written as follows, "Curb cost to include street repairs, E&S, stump removal and traffic control measures. Sidewalk

cost to include all grading, seeding and costs of transitions.” Approximately 1,560 square feet of sidewalks was removed from Ameron’s scope of work after the contract was awarded because more home-owners chose to perform their own work. Ameron still installed the curbing in those areas, which required them to remove and haul away topsoil, backfill the area, grade and transition it, import top soil and seed it. Compensation for that work was in the sidewalk part of the bid and not the curbing. As such, when the sidewalk area was deleted, there was no payment included for the restoration performed.

Ameron initially estimated their additional costs for the above items to be \$97,300.00. After lengthy discussion and review with Ameron, staff has negotiated the extra changes down to \$59,000.00, which Ameron is willing to accept as a fair resolution.

Mr. Owatt made a motion to approve change order #1 to contract with Ameron Construction in the amount of \$59,000.00 and authorize payment of same. (Ball) Motion passed unanimously.

4. Consider an Ordinance Deleting Julian Street as a One-Way Street

Council discussed the concept of deleting Julian Street as a one-way street. Ms. Houser expressed her concerns with changing Julian Street to two-way traffic, especially in the area of Holy Name School and Church. Chief Wyland shared his thoughts on why he thinks it should be considered, which included problems with plowing, parking and winter maintenance. One alternative would be to change the 200 and 300 blocks of N. Julian Street to allow for two-way traffic (the 100 block already is two-way) but to leave N. Julian Street as one-way traffic only from Horner to Highland (400 through 600 block). The consensus of Council was to table this item until the November meeting to allow residents to offer feedback.

K. Administration Committee

1. 2022 Annual Budget

Mr. Kuhar reported that the administrative committee has compiled a tentative 2022 budget for Council’s review. The 2022 Operating Budget calls for revenues of \$6,304,880 and expenditures of \$6,238,245. The general fund budget is balanced with no increase in real estate taxes. This is the 12th consecutive year without a tax increase for general purposes, and the 11th consecutive year without a tax increase for any purpose; the last being in 2010 for the swimming pool debt.

	Revenue	Expenditures	Surplus
General Fund Budget	\$2,186,580	\$2,186,580	\$0
Water Fund Budget	\$1,949,800	\$1,949,800	\$0
Wastewater Fund Budget	\$1,940,000	\$1,873,365	\$66,635
Stormwater Fund Budget	<u>\$ 228,500</u>	<u>\$ 228,500</u>	<u>\$ 0</u>
Total Operating Fund	\$6,304,880	\$6,238,245	\$66,635

The General Fund Budget is increased by 2.2% over last year. The increase is primarily due to higher costs budgeted for healthcare and pensions.

The Water Fund Budget is increased by 7.7% vs. 2021, primarily due to an increase in rates due to incurring debt for a short-term loan to perform system repairs. The Wastewater Fund Budget has experienced a minimal increase.

With the exception of the higher budgeted cost of employee benefits and the increased needs for utility system repairs, expenditures in all funds remain fairly consistent, reflecting our commitment to control expenses while ensuring the continued delivery of services in a cost-effective manner.

The 2022 budget is granted tentative approval at this meeting, advertised for public inspection for a period of no less than ten days, and adopted at the November meeting.

Mr. Kuhar made a motion to grant tentative approval to the 2022 annual budget and advertise for public inspection. (May) Motion passed unanimously.

2. **Tax Resolution**

Ms. Houser reported that Resolution #2021-07 is proposed, which maintains the real estate tax rate in 2022 at the current level.

Ms. Houser made a motion to adopt Resolution 2021-07 maintaining a real estate tax rate in 2022 of 30.75 mills on land and 8.5 mills on buildings for general purposes, and 2.5 mills on land for stormwater. (Owatt) Motion passed unanimously.

3. **Part-time Employee** – Ms. Jacoby reported that Emma Dumm has been hired for part-time work at the YPCC and Ian McGroery was hired for part-time work at the Tennis Center.

It is a matter of record that Emma Dumm and Ian McGroery were hired as part-time help at the YPCC and Tennis Center at the rate of \$8.50/hour.

L. **Diversity Committee** – Mr. May reported that the committee recently had an impromptu gathering and are still discussing ideas on diversity projects.

M. **General Business**

1. **Consider Request to Install a Mural in Ebensburg**

Ms. Koss shared that the Ebensburg Main Street Partnership is interested in installing a mural in Ebensburg. A preliminary meeting was held and a few locations were discussed as potential sites. One of the sites was the concrete block garage referred to as the “Salt House” at Lake Rowena. Ms. Koss asked for Council’s permission to use this site if selected by the committee.

Ms. Houser made a motion to approve the request from the Community Development Director to proceed with a mural at the “Salt House” at Lake Rowena. (May) Motion passed unanimously.

2. Consider Request to Hold a Polar Plunge at Lake Rowena

Ms. Koss reported that a request had been made by a fundraising group to use Lake Rowena to host a Polar Plunge event.

Ms. Jacoby made a motion to approve use of Lake Rowena for a polar plunge contingent upon approval from DCNR and an approved event permit application including certificate of liability. (Owatt). Motion passed unanimously.

N. Department Report

1. Police Department

Chief Wyland reported on the police department's activities during the month which included receipt of the new cruiser that had been on backorder; unfortunately, equipment to outfit the cruiser is now on backorder. The Chief also confirmed that all officer certifications have been completed.

2. Public Works Department

Public Works Director Jeff Evans submitted a written report.

3. Community Development

Community Development Director Danae Koss reported on the community development department's activities during the month including the upcoming Halloween events and Dickens of a Christmas weekend. She added that a new business called "That Dog Guy" had recently opened at 1215 N. Center Street.

4. Recreation Department

Recreation Director Dirk Johnson reported on the recreation department's activities during the month including an update to the Skate Park project which is now looking at alternative sites from the originally discussed location near the Ebensburg Swimming Pool.

O. Media Comments/Questions – Ms. Katie Smolen, The Tribune Democrat, asked where to direct readers that may have questions/concerns regarding the consideration of deleting Julian Street as a one-way street.

P. Public Comments

1. Ms. Pat Henry, 128 Hickory Street, expressed her desire to petition Council to have Hickory Street ordained as a street and maintained by the Borough through the winter.

Q. Adjournment – There being no further business, Ms. Houser made a motion to adjourn. Motion passed unanimously.

Meeting Adjourned 7:35 PM

Minutes Recorded by: Danae Koss, Community Development Director