

The regular monthly meeting of the Ebensburg Borough Council was called to order on Monday, February 28, 2022 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
Robert Miller
Cecilia Houser
Mike Owatt
Jeff Ball

Others: Kelly Cook, Borough Manager
Blair Pawlowski, Solicitor
Jeff Evans, Public Works Director
Dirk Johnson, Recreation Director
Danea Koss, Community Development Director
Tracy Strom, Borough Clerk
Amanda Datsko, The Mountaineer Herald
Katie Smolen, The Tribune Democrat
Ron Springer, Dauntless Fire Company
Mike Sheehan, Dauntless Fire Company

Absent: Randy Datsko, Mayor

Audience: 2

A. The Pledge of Allegiance was recited.

B. **Public Comments** – None.

C. **Consent Agenda**

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

1. Approve the minutes of the January 24, 2022 regular monthly meeting of Borough Council.
3. Approve the financial statement.
4. Approve payment of bills.

D. **Appointment to Address Council**

Ms. Stephanie Stohon, of Wessel & Company, presented an overview of the 2021 Borough audit, which yielded a favorable opinion. She provided copies of financial statements and an executive summary report.

E. **Consideration of Any Motion(s) To Amend Agenda** – None.

F. **Mayor's Report** – None.

G. **Council President** – Mr. Tusing reported that the PA Borough's Association has amended its recommended practice of having Council President serve as Acting Mayor each time that the Mayor

is absent for a single meeting. The Association clarified that the intent of this practice was for it to be used in the case of an extended absence, therefore, he would not be assuming the role of Acting Mayor for the February meeting.

H. Water/Wastewater Committee

1. Report from Inframark on Wastewater Plant Operations

Mr. Kuhar reported that written reports from Inframark for the wastewater plant are available through the office and on the website.

2. Report from Inframark on Water Treatment Plant Operations

Mr. Kuhar reported that written reports from Inframark for the water plant are available from the office and on the website.

I. Recreation Committee - None.

J. Street Committee

1. Ordinance #662: An Ordinance that amends Ordinance #591, the Tree Ordinance, by allowing the Approved Street Tree Planting List and the list of Prohibited Trees to be changed by Resolution.

Mr. Owatt reported that the current tree Ordinance includes detailed lists of trees that are approved or prohibited for planting in tree lawns. The current lists are in need of updating and will very likely require periodic updates in the future. Staff recommends that we remove the actual lists from the ordinance itself, thus allowing any updates to be handled by Council resolution rather than requiring an amendment to the ordinance each time. Once this change is made, the current lists will then be updated.

Mr. Owatt made a motion to grant final approval to Ordinance #662 removing the approved and prohibited tree lists from the Tree Ordinance and allowing these lists to be changed in the future by Council resolution. (Kuhar) Motion passed unanimously.

2. Resolution #222-01: A Resolution updating a detailed list of trees that are approved for planting in tree lawn.

Mr. Owatt reported that the current list of approved/prohibited trees was deemed to be out of date. New lists have been created, based on input from tree and landscape professionals.

Mr. Owatt made a motion to approve Resolution #2022-01, which approves a list of trees for planting in tree lawns, as well as those trees that are prohibited from being planted within the Borough right-of-way. (Jacoby) Motion passed unanimously.

3. Liquid Fuels Audit for 2019 and 2020:

Mr. Owatt made it a matter of record that the Pennsylvania Auditor General issued the 2019 and 2020 audit and determined that Ebensburg's Liquid Fuels money was spent in accordance with laws and regulations.

K. **Administration Committee** – None.

L. **Diversity Committee** – None.

M. **General Business**

1. **Ordinance #663: An Ordinance that adopts the Guaranty Agreement for the PENNVEST loan.**

Ms. Cook reported that PENNVEST has approved a grant of \$1,265,610 and expects approval of an updated loan amount of \$1,505,765 for the High Street Waterline replacement project. The loan is for 20 years, with 1% interest for the first five years and then 1.743% thereafter. It will be necessary for the Borough to guarantee the PENNVEST loan. In accordance with the Unit Debt Act, Council will need to adopt a Guaranty Agreement by Ordinance. The Solicitor has drafted the enabling Ordinance, the required guaranty agreement, promissory note, debt statement and borrowing base certificate for tentative adoption. The Borough and Authority solicitors will review those documents for compliance. The Solicitor has also compiled a Self-Liquidating Debt Report to be certified by the Authority's engineer. Those documents are included in the proposed Ordinance.

Ms. Jacoby made a motion to grant final approval to Ordinance #663 authorizing a PENNVEST loan guaranty in the amount of \$1,505,765 on behalf of the Ebensburg Municipal Authority for the water system improvement project. (Houser)

2. **Resolution #2022-02: A Resolution authorizing the submission of a grant through the Statewide Local Share Account Grant**

Ms. Cook reported that Dauntless Fire Company continues to explore any and all opportunities available for obtaining grants to upgrade their programs and equipment. They have requested our assistance in applying for an \$85,000 grant to be used for refurbish and seal the floors at the fire hall. The Fire Company is putting \$10,000 towards the project as well. Unlike the \$382,952 FEMA Assistance to Firefighters Grant that they recently secured, this grant must be applied for by the sponsor municipality.

Ms. Houser made a motion to approve Resolution #2022-02 supporting and applying, on behalf of the Dauntless Fire Company, for an \$85,000 grant through the Statewide Local Share Account Grant, and further authorizing Borough officers to execute any and all documents required to secure the grant. (Miller) Motion passed unanimously.

3. **Resolution #2022-03: A Resolution authorizing the submission of a grant through the Statewide Local Share Account**

Ms. Cook reported that the Borough will apply for a grant for the rehabilitation to the Borough Swimming Pool.

Mr. Kuhar made a motion to approve Resolution #2022-03 authorizing the application of a \$300,000 grant through the Statewide Local Share Account Grant, and further authorizing Borough officers to execute any and all documents required to secure the grant. (Houser) Motion passed unanimously.

O. Department Report

1. Police Department

Chief Wyland has submitted a written report on the police department's activities.

2. Public Works Department

Public Works Director Jeff Evans shared that the department has been busy with fixing water leaks, assisting Ligonier Construction at the CamTram waterline project and completing trainings last week.

3. Community Development

Community Development Director Danae Koss reported on activities including the addition of and success of the new WinterFest event, updates on Art in Bloom, Wheels & Wings, several new business openings and an update on the façade improvement program. Mr. Miller stated that WinterFest event was an excellent addition to the slate of Ebensburg activities.

4. Recreation Department

Recreation Director Dirk Johnson reported on activities including WinterFest, getting the lifeguard certification and recertifications scheduled and the upcoming Bingo event to be held on Friday, March 11th which will help support the planned Dog Park sponsored by Ebensburg Rotary.

P. Media Comments/Questions

Ms. Amanda Datsko, The Mountaineer Herald, asked if there were any other funding sources being considered for the pool rehabilitation project and if the previous contractor has had anything to say about the current issues.

Q. Public Comments

Mr. Gerry McMullen, 214 W. Lloyd Street, reported that, during the recent power outage, the emergency generators began powering the Ebensburg Water/Sewer Plants. He also noted that there was a good response from Dauntless Fire Company and Cambria County Emergency Management, with regard to the outage.

Mr. Ron Springer, 215 W. Lloyd Street, suggested that the Borough consider adding double-throw safety switches to the traffic lights in the center of town. In the event of a future outage, the traffic lights could then be powered by a generator.

S. Adjournment – There being no further business, Mr. Miller made a motion to adjourn. (Jacoby) Motion passed unanimously.

Meeting Adjourned 7:19 PM
Minutes Recorded by: Danae Koss, Community Development Director