



Ebensburg Borough Council Meeting
Monday, September 26, 2022
6:30 p.m.

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Borough Council
Doug Tusing, President
Cecilia Houser, Vice-President
Jeffrey Ball
Theresa Jacoby
Dave Kuhar
Robert Miller
Michael Owatt
Mayor
Randy Datsko

AGENDA

CALL TO ORDER & PLEDGE OF ALLEGIANCE

PUBLIC COMMENTS

Members of the public are invited to comment at this time on any item appearing on the agenda.

1. CONSENT AGENDA

All items listed on the Consent Agenda are considered to be routine and will be acted upon by a single motion. There will be no separate discussion of these items unless members of the Council request specific items to be removed for separate action.

- Item 6A: Approve report of Inframark for the Wastewater Treatment Plant Operations
- Item 6B: Approve report of Inframark for the Water Treatment Plant Operations
- Item 11D: Approve the minutes of the August 22, 2022 regular monthly meeting of Borough Council.
- Item 11E: Approve the financial statement for August.
- Item 11F: Approve payment of bills for September.

Recommended Action – Approve the consent agenda.

2. APPOINTMENTS TO ADDRESS COUNCIL

4. MAYOR'S REPORT

- Item 4A: Report on Police Department

5. COUNCIL PRESIDENT COMMENTS

6. WATER, WASTEWATER & STORMWATER COMMITTEE

Ball, Kuhar & Miller

*** Item 6A: Report from Inframark on Wastewater Treatment Plant Operations**

Inframark's written report was submitted regarding operations, projects and activities at the wastewater plant for Council review.

Recommended Action – Accept and approve report.

***Item 6B: Report from Inframark on Water Treatment Plant Operations**

Inframark's written report was submitted regarding operations, projects and activities at the water plant for Council review.

Recommended Action – Accept and approve report.

Item 6C: High Street Water Line Replacement Project

Work began on Monday, June 20th. Substantial completion is to be within 120 calendar days from the date of commencement putting that date on September 29, 2022. Final completion is estimated by November 28, 2022. The installation of the water main is complete. W. A. Petrakis is completing the connection of water service lateral lines for each facility along the project corridor that required a new lateral. Any lead service lines will be replaced in their entirety. Upon the completion of the laterals, they will commence restoration.

Recommended Action – No action required

7. RECREATION COMMITTEE

Jacoby, Miller & Owatt

Item 7A: Dog Park

The Borough applied for a \$30,000 Mini-Grant through the Southern Alleghenies Planning & Development Commission. Staff was notified that we were awarded the grant of \$30,000.

Staff requested the Rotary to schedule a meeting between the Rotary and Recreation Committee as soon as possible to discuss the administration of the dog park construction and project administration.

Recommended Action – No action required.

8. STREET COMMITTEE

Ball, Houser & Owatt

Item 8A: 2022 Street Paving Project

The paving project was awarded to Grannas Brothers in the amount of \$269,988.29. Due to weather delays and the existing waterline project, the Contractor will start paving September 26, 2022 and is expected to complete the project by October 4th.

Recommended Action –No action is required.

Item *B: Sidewalk and Curbing Project 2022:

Two bids, BCS Construction at \$163,900 and Glenn O. Hawbaker, Inc. for \$345,010.10 were reviewed at last month’s meeting. Council recommended approval to BCS Construction, pending review by the Manager and Solicitor. On August 23, 2022 BCS notified the Borough of their withdrawal of their bid due to an error.

Recommended Action – Staff recommends the rejection of all bids and approval to rebid the project later this year.

9. ADMINISTRATION COMMITTEE

Houser, Jacoby & Kuhar

Item 9A: AFSCME Contract

Negotiations with the American Federation of State, County and Municipal Employees have commenced for the current contract expiring on December 31, 2022. The committees have met five times and negotiations are proceeding.

Recommended Action – No action required

Item 9B 2022 Budget Preparation

The Manager is preparing preliminary budget numbers. The Administration Committee met on September 21, 2022 and will meet again in October to compile a tentative budget for Council’s review at the October meeting. Final adoption is expected at the November Council meeting.

Recommended Action – No action required.

Item 9C: Employee Pension Plans

There are several routine actions required every year relative to the employee pension plans. The Minimum Municipal Obligation (MMO) is the amount calculated each year that is required to be deposited into each pension plan. Regulations require Council to formally approve that number by September 30th. The state aid unit value for 2023 has not yet been announced, but it is not necessary to adopt the actuarially determined MMO. The state aid listed below is approximated. Council must also establish the contribution rate, if any, for employees and determine how the State pension aid is to be distributed to the two pension plans

- Action #1 - Adopt the minimum municipal obligation (MMO) calculation for the non-uniformed pension plan in the amount of \$91,820.
- Action #2 - Adopt the minimum municipal obligation (MMO) calculation for the uniformed pension plan in the amount of \$16,401.
- Action #3 - Adopt the minimum municipal obligation (MMO) calculation for the defined contribution plan in the amount of \$5,991.
- Action #4 - Adopt Resolution #2022-11 establishing an employee contribution rate of 3% (unchanged) for the non-uniformed pension plan for 2022.
- Action #5 - Adopt Resolution #2022-12 establishing an employee contribution rate of 3% (unchanged) for the uniformed pension plan for 2022.
- Action #6 - Adopt Resolution #2022-13 authorizing distribution of the State aid check to the respective employee pension plans.

10. DIVERSITY COMMITTEE	Kuhar & Houser
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11. GENERAL BUSINESS

Item 11A: Fireworks Law

Pennsylvania passed an amended Fireworks Law, Act 74 of 2022, which went into effect earlier this month. The Manager will review a summary of the new law and outline the various options available for Council’s consideration. The Mayor, Police Chief and staff all recommend utilizing the portion of the new law that allows dense municipalities to prohibit fireworks, except through specific exceptions as required by the law. All exceptions must be met:

- (a) that no one under the age of 18 will purchase, possess or use Consumer Fireworks;
- (b) that Consumer Fireworks will not be used on private property or on public property, including, but not limited to, streets, parking lots, sidewalks and parks, without the express permission of the owner or entity that controls the property;
- (c) that the Consumer Fireworks will not be used within, directed at or directed from a “vehicle” or “building” as those two terms are defined in the Law;
- (d) that the Consumer Fireworks will not be directed at another person;
- (e) that the Consumer Fireworks will not be used by a person who is under the influence of alcohol, a controlled substance or another drug; and
- (f) that the Consumer Fireworks will not be used within 150 feet of a building or vehicle, whether or not the building or vehicle is owned by the user of the Consumer Fireworks

Recommended Action – Pursuant upon discussion.

Item 11B: Hazard Mitigation Plan:

The Disaster Mitigation Act of 2000 requires all levels of government to have and maintain a Hazard Mitigation Plan. Local municipalities generally adopt the County's Plan as their own, as Ebensburg has done in the past, most recently in 2016. Cambria County has completed an update of their Plan and it has been approved by PEMA. It is necessary for each local government to now adopt that updated Plan.

A Hazard Mitigation Plan identifies any and all types of emergencies that could affect any given area and is used to eliminate or reduce the occurrence of those potential hazards. For example, flooding is a potential hazard. The Hazard Mitigation Plan recommends public education, dam monitoring efforts, downstream warning plans, promotion of flood insurance, etc.

Recommended Action – Adopt Resolution #2022-14 adopting the Cambria County Hazard Mitigation Plan as the Plan for the Borough.

Item 11C: Façade Grant

Historically, the Borough has enjoyed tremendous success with the Façade Grant Program. The previous grant of \$50,000 was fully utilized. Staff recommends that the Borough applies for a new grant in the same amount.

Recommended Action – Approve Resolution #2202-15 authorizing the filing of an application for funds with the Pennsylvania Department of Community and Economic Development Façade Grant in the amount of \$50,000.

- * Item 11D: Minutes of Previous Meeting(s)
The minutes of the August 22, 2022 regular meeting are presented for Council review and approval.

Recommended Action – Approve the minutes of the previous meeting(s).

- * Item 11E: Financial Statement
The financial statement for August 2022 and is presented for approval.

Recommended Action – Approve the August 2022 financial statement.

- * Item 11F: Bills
A list of bills totaling \$586,655.90 for September 2022 is submitted for approval.

Recommended Action – Approve payment of the bills as submitted.

12. DEPARTMENT REPORTS

Item 12A: Police Department

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

Item 12B: Public Works Department

Public Works Director Josh Surkovich has submitted a written report on the public works department’s activities during the month.

Item 12C: Community Development

Community Development Director Danea Koss has submitted a written report on the community development department’s activities during the month.

Item 12D: Recreation Department

Recreation Director Dirk Johnson has submitted a written report on the recreation department’s activities during the month.

* Item 12E: Codes Enforcement

A monthly codes enforcement report was forwarded to Council.

* Item 12F: Ebensburg Municipal Authority

A copy of the minutes of the last municipal authority meeting is included in Council’s packet.

* Item 12G: Ebensburg Planning Commission – No activity

* Item 12H: Ebensburg Zoning Board

13. MEDIA COMMENTS/QUESTIONS

Representatives of the media are invited to comment and ask questions at this time on any issues, whether or not on the agenda.

14. PUBLIC COMMENTS

Members of the public are invited to comment at this time on any issues, whether or not on the agenda.

15. EXECUTIVE SESSION – only if needed. Reason for session to be clearly stated in advance.

16. ADJOURNMENT

Copies of all staff reports and documents subject to disclosure that relate to any item of business referred to on the agenda are available for public inspection the Thursday before each regularly scheduled meeting at the Borough office, located at 300 West High Street, Ebensburg, Pa. Any documents subject to disclosure that are provided to members of the Borough Council regarding any item on this agenda are available for public inspection at the Borough office or at www.ebensburgpa.com.

In accordance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, please contact the Borough office (814) 472-8780 or eburg@ebensburgpa.com. Notification 48-hours before the meeting will enable the Borough to make reasonable arrangements to ensure accessibility to this meeting.