

The regular monthly meeting of the Ebensburg Borough Council was called to order on Monday, April 28, 2014 at 6:29 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
Cecilia Houser
Dave Kuhar
Joe Lutz
Theresa Jacoby

Absent: Joe Miller

Others: Heath Long, Assistant Solicitor
Randy Datsko, Mayor
Daniel Penatzer, Borough Manager
Dave Dodson, Public Works Director
Bernie Kozlovac, Plant Supervisor
Terry Wyland, Chief of Police
Chris Bopp, Police Officer
Jody Eberhart, Police Officer
Danea Koss, Community Development Director
Gary Hoover, L.R. Kimball
Rachel Vasilko, The Mountaineer Herald
Kelly Cernetich, The Altoona Mirror

Audience: 5

A. The Pledge of Allegiance was recited.

B. **Public Comments** – Mr. Jason Jacoby addressed Council regarding the stormwater repairs the borough, in cooperation with the Township and County, has proposed at Candlelight Drive. Mr. Jacoby raised several concerns and he does not believe that the borough's solution will fix the problem.

C. **Consent Agenda**

Mr. Lutz made a motion to approve the consent agenda, containing the following items: (Barber) Motion passed unanimously with one abstention (Barber) on item 3 below regarding amount owed Barber Oil Company and Link Services.

1. Approve the minutes of the March 24, 2014 regular monthly meeting of Borough Council.
2. Approve the Financial Statement.
3. Approve payment of bills.
4. Approve sale of 1998 Massey Ferguson tractor to G&G Enterprises for \$4,550.00 and approve sale of 1998 bucket truck to D. Edward Leasing for \$5,001.00.

Tractor

G&G Enterprises	Stoystown, PA	\$4,550.00
Gaudino Brothers LLC	Freedom, PA	\$3,053.00
Jason Claar	Ebensburg, PA	\$2,500.00
Jason Jacobs	unknown	\$2,205.00
Bill Kiel	Portage, PA	\$2,128.00
Jerry Sickles	Nanty Glo, PA	\$1,872.53

Dennis Miller	Ebensburg, PA	\$1,505.00
Ed Lipnic	Ebensburg, PA	\$ 650.00
Earl Jones	Johnstown, PA	\$ 497.28

Bucket Truck

D. Edward Leasing	Windber, PA	\$5,001.00
G&G Enterprises	Stoystown, PA	\$3,250.00
Gaudino Brothers LLC	Freedom, PA	\$2,678.00
O'Hara's Signs	Ebensburg, PA	\$2,500.00
Mike O'Hara	Ebensburg, PA	\$1,500.00
Bill Kiel	Portage, PA	\$1,176.00
Earl Jones	Johnstown, PA	\$ 527.00
Ed Lipnic	Ebensburg, PA	\$ 400.00

D. Appointments to Address Council – None

E. Mayor's Report – Mayor Datsko introduced the Borough's newest full-time police officer, Christopher Bopp. He also recognized officer Jody Eberhart with an officer commendation for his work as a merit badge counselor with the Westmoreland-Fayette Boy Scout Council.

F. Council President Comments – Mr. Tusing congratulated the Art in Bloom committee on a successful Art in Bloom event.

G. Water/Wastewater Committee

1. There were no excursions for the month of March 2014. Plant flows averaged 1.445 MGD and 6.2 dry tons of sludge were hauled away to the landfill. Mr. Kozlovac, Plant Supervisor, provided a verbal report on activities at the wastewater plant during the month.

H. Recreation Committee - None

I. Street Committee

1. Mr. Lutz made a motion to grant final approval to Ordinance #611 vacating Hemlock Street. (Barber). Motion passed unanimously.
2. Ms. Houser made a motion to advertise for bids for resurfacing of streets in the southwest corner of town including: Reddinger Street, one block of Poplar Street, Lloyd and Ogle Streets between Caroline Street and Reddinger Street and the northeast corner of town including: Tibbott Street, Roland Street, Arbor Street, Margaret Street and Caroline Street. (Lutz) Motion passed unanimously.
3. Borough crews have nearly completed milling of areas on various streets in preparation for asphalt patching. Patching of the milled areas should begin later this week.

J. Administration Committee

1. Most summer positions were filled at Council's March Meeting. The office assistant position was waiting on confirmation of the availability of interns. We have one intern for two days each week. Staff recommends that we hire Danielle Link for three days/week. Ms. Jacoby made a motion to hire Danielle Link for summer office assistant at rate of \$7.25/hr. (Lutz) Motion passed unanimously.
2. Ms. Jacoby made a motion to rescind hiring of Charmaine Aurandt for landscaping, as she is unable to continue in that position. (Barber) Motion passed unanimously.
3. Ms. Jacoby made a motion to hire Jack Habas for landscaping position at rate of \$8.00/hr. (Barber) Motion passed unanimously.

K. General Business

1. In November, it was the consensus of Council to implement a stormwater management utility fee, as authorized by Act 67 of 2013. L.R. Kimball was engaged and steps were taken to determine an appropriate Equivalent Residential Unit (ERU) and fee. Mr. Gary Hoover, on behalf of L.R. Kimball, and Mr. Penatzer requested that Council review and develop a consensus on capping the ERU, assessing an acceptable annual fee, prioritizing projects and incurring debt for the project. The following was determined:

It is the consensus of Council that the stormwater fee should be capped at 30 ERUs for large properties.

It is the consensus of Council that \$96 is an acceptable annual fee. Council recommends that, for the first year, a introductory rate of \$4/month or \$8/per billing cycle be implemented in order to give residents time to prepare for the accepted annual rate of \$96 to be billed at a rate of \$8/month or \$16/per billing cycle the following year and all years after.

It is the consensus of Council that North Julian Street at the fairgrounds, the southwest corner of town between West High Street and the Ghost Town Trail and the northwest corner of town between Center Street and Tanner Street are the three priority stormwater projects.

It is the consensus of Council that they are comfortable with incurring debt for an 8-year period.

2. In regards to the reoccurring flooding at Candlelight Drive, the township has agreed to assist the borough with performing work to mitigate the flooding and the county has agreed to reimburse the two municipalities with additional liquid fuels funds. However, a construction easement is necessary to enter the property owned by Mr. Jason Jacoby and Mr. Brandon Jacoby who are reluctant to grant the easement. Mr. Lutz made a motion to authorize borough staff to proceed with stormwater repairs at Candlelight Drive, subject to the execution of easements. (Houser) Motion passed unanimously with one abstention (Jacoby) due to property ownership.

L. Department Reports

1. **Police Department** – Chief Wyland congratulated officer Eberhart on his commendation. He thanked Council for approving the hiring of full-time officer Christopher Bopp and he explained that part-time officer Mummert’s start has been delayed due to an issue with his paperwork. A written report was e-mailed to Council separately.
2. **Public Works Department** - Mr. Dodson reported on last month’s activities including the successful DEP inspection at the Water Treatment Plant, street milling, hydroflushing and street sweeping.
3. **Community Development** – Ms. Koss reported on last month’s activities including an update on Art in Bloom, Wheels & Wings and PotatoFest. She reminded the board of the upcoming Our Town preview on May 7th and the Trail Town Assessment scheduled for May 15th.
4. **Recreation Department** – None

5. **Ebensburg Planning Commission** – The planning commission considered a sub-division and land development application for the proposed Sheetz store. The project received a favorable review, and final action was postponed until all zoning issues are resolved.
6. **Ebensburg Zoning Board** – The zoning board approved a special exception for a minor-impact home-based business at 106 Tanner Street. The owner will be making jewelry in the residence.

M. Media Comments/Questions – None

N. Public Comments –

Mr. Illig asked if the Borough had considered having the public works department perform sewer line replacements and other projects in house.

Mr. Illig raised concerns about water run-off following paving on South Locust Street.

There being no further business, Ms. Barber made a motion to adjourn. (Houser) Motion passed unanimously.

Meeting Adjourned: 8:03 p.m.

Minutes Recorded by:

Danea Koss
Community Development Director