

The regular monthly meeting of the Ebensburg Borough Council was called to order on Monday, August 25, 2014 at 6:30 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
Joe Miller
Cecilia Houser
Joe Lutz
Theresa Jacoby
Dave Kuhar

Others: Daniel Penatzer, Borough Manager
Randy Datsko, Mayor
Blair Pawlowski, Solicitor
Dave Dodson, Public Works Director
Bernie Kozlovac, Plant Supervisor
Terry Wyland, Chief of Police
Danea Koss, Community Development Director
Matt Pfeil, Recreation Director
Dale Lydic, UMWA
Rachel Vasilko, The Mountaineer Herald
Kelly Cernetich, The Altoona Mirror

Audience: 4

A. The Pledge of Allegiance was recited.

B. **Public Comments** – None.

C. **Consent Agenda**

Mr. Lutz made a motion to approve the consent agenda, containing the following items: (Barber)
Motion passed unanimously.

1. Approve the minutes of the July 28, 2014 regular monthly meeting of Borough Council.
2. Approve the Financial Statement.
3. Approve payment of bills.

D. **Appointments to Address Council** – Mr. Dale Lydic, a representative of the United Mine Workers' Association, addressed Council and read a resolution that the UMWA is asking Council to sign. The resolution is a State and Local Government Resolution Regarding the Environmental Protection Agency's Proposed Clean Power Plan. Mr. Tusing thanked Mr. Lydic and the consensus of Council was to table this until the September meeting.

E. **Mayor's Report** – Mayor Datsko informed Council that Giant Eagle would once again be partnering with the American Cancer Society and has extended an invitation to Council to serve as celebrity baggers for this event on October 2nd.

F. **Council President Comments** – Mr. Tusing commended Mayor Datsko and Chief Wyland on their Crosswalk Safety Campaign and thanked them for bringing awareness of this issue to Ebensburg and surrounding areas.

G. **Water/Wastewater Committee**

1. There were no excursions for the month of July 2014. Plant flows averaged 0.899 MGD and 24.1 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.

2. The Credit Policy was jointly adopted in July by the Authority and the Borough Council. Both boards included revisions. Mr. Kuhar made a motion to approve the revised Stormwater Program User Fee Credit Manual. (Houser) Motion passed unanimously.
3. Mr. Kuhar made a motion to grant final approval to Ordinance #613 transferring all stormwater facilities to the Ebensburg Municipal Authority. (Lutz) Motion passed unanimously.
4. Painting of the high water tank on Hillcrest Drive will be completed on Wednesday, August 27th. The painting and installation of new control valves went as planned without service interruption to customers.

H. Recreation Committee – None

I. Street Committee

1. Street resurfacing by New Enterprise began on August 19th and is completed.

J. Administration Committee

1. Negotiations with AFSCME on the collective bargaining agreement which expires at the end of 2014 have concluded. Ms. Barber made a motion to approve the collective bargaining agreement with AFSCME for the period of January 1, 2015 through December 2018. (Miller) Motion passed unanimously.
2. Two proposals were received for the August 1st renewal of the borough's property and casualty insurance. HDH Group quoted a total of \$120,888. Our current carrier, Selective Insurance, through Ebensburg Insurance, quoted \$122,694. HDH Group would require the borough to institute a back-to-work program for workers compensation. Because of the small difference in premium, and no requirement for a new program, the coverage was renewed with Selective Insurance. The total premium for the insurance package is \$16,650 less than last year.

In addition to the insurance package, there are two separate policies that were also renewed through Ebensburg Insurance. The airport liability insurance decreased from \$3,500 to \$1,991 annually. That premium is reimbursed by RACRA. The premium for the fire department's workers compensation through the State Fund increased from \$10,939 to \$11,643.

K. General Business

1. Street trees need to be purchased to replace those that have been damaged or died for unknown reasons. The following quotes were received for the replacement of the trees:

Schichtel's Nursery	\$5,221.00
Eisler Nurseries	\$5,350.00

Ms. Barber made a motion to purchase thirty-nine trees from Schictel's Nursery at a cost of \$5,221.00. (Houser) Motion passed unanimously.

2. A new Welcome to Ebensburg sign will be erected along Route 422 near Bishop Carroll High School. The American Legion has agreed to contribute toward the cost of the sign and BCHS has agreed to provide electricity. Staff is preparing an easement for the new sign and will be soliciting bids for the project. These will be available for the September meeting.
3. The garbage/recycling collection contract expires at the end of 2014. The contract has been advertised, and bids will be available for Council's consideration at the September meeting.
4. The Borough uses various chemicals in the water treatment process and at the swimming pool. Bidding on chemicals was last done in spring 2013. Staff advertised for bids and received the following responses. The request for bids did not include road salt, as that is purchased under the State's contract.

	<i>Description</i>	<i>Univar</i>	<i>SAL</i>
1.	Cal Hypo Induclor Gran	\$1.99/lb.	\$1.88/lb.
2.	Chlorine 300 gal. tote	\$1.45/lb.	\$1.68/gal.
3.	Carusol Liquid Permanganate	\$ 9.80/gal.	\$9.10/gal
4.	Caustic Soda 50%	\$2.35/gal.	\$2.44/gal
5.	Chlorine 150 lb. Cylinder	\$.445/lb.	\$.55/lb.
6.	DelPac 2020 Coagulant	\$.2094/gal.	\$2.985/gal.
7.	SLI Aqua Mag Phospate	\$8.95/gal.	\$7.023/gal.
8.	Hydrofluosilicic Acid 23%	\$4.45/gal.	\$3.499/gal.
9.	Calcium Chloride Flake	\$.254/lb.	\$.235/lb.

Mr. Kuhar made a motion to award bids for chemicals to:

A. To Univar, Inc. – Items #2, 4, 5 and 6.

B. To SAL Chemical Co. – Items 1, 3, 7, 8 and 9.

(Miller) Motion passed unanimously.

5. Ordinance #614, prohibiting dogs running at large, was presented for Council's consideration. Ms. Houser made a motion to grant tentative approval to Ordinance #614 and advertise for public inspection. (Barber) Motion passed unanimously.
6. In response to a question posed by a new resident, the relevance of the Curfew Ordinance, and more specifically, the need to sound the fire siren as a curfew indicator, was discussed. Chief Wyland stated that the ordinance, when needed, is used as a tool in getting kids off the street or out of public areas after 10:45 pm. Mr. Lutz made a motion to keep the curfew ordinance in place but discontinue the use of the fire siren. (Jacoby) Motion passed unanimously.

L. Department Reports

1. **Police Department** – Chief Wyland reported that both the Downtown Shutdown and Homecoming went well with no major issues. He added that they've had a busy month and have made several drug arrests.
2. **Public Works Department** - Mr. Dodson reported on last month's activities including updates on playground improvements, work on the high water tank, and street resurfacing.
3. **Community Development** – Ms. Koss reported on last month's activities including updates on Volunteer Appreciation Night and PotatoFest. She also shared that plans for a fall bicycling event along with Ghost Town Trail are underway.
4. **Recreation Department** – Mr. Pfeil reported on last month's activities including basketball league updates, Future Champions updates and the PotatoFest 3 on 3 basketball tournament and Roller Hockey Tournament. He added that a "Fall Fall-Out" battle of the bands is being planned for early October at the YPCC.
5. **Codes Enforcement** – A monthly codes enforcement report was provided in Council's mailbox.
6. **Ebensburg Municipal Authority** – A copy of the minutes of the last municipal authority meeting was included in Council's packet.

7. Ebensburg Planning Commission

a. The Falchini lot merger plan combines the lot at the triangle formed by High Street and Park Street, with the two residential lots on which buildings were recently razed. There is an issue with an existing stormwater pipe near the intersection, and the fact that the property border extends into the intersection of West High Street and Park Street. The Commission gave Falchini two choices for solving the problem. First, an easement could be provided for the stormwater pipe. In the alternative, Falchini could shift the eastern property line point to the west, excluding the stormwater line. The point of the triangular lot would be conveyed to the borough, negating the need for an easement. The lot merger plan was approved pending one of those solutions being employed. Mr. Lutz made a motion to grant conditional approval to the Falchini lot merger plan. (Kuhar) Motion passed unanimously.

b. For the land development plan, Falchini sought a waiver for a rule requiring that parking spaces be set back a minimum of 15 feet from the right-of-way line. Due to the unique characteristics and shape of the lot, the waiver is necessary to allow for adequate parking spaces. That waiver was approved by the planning commission. Additionally, several changes are still required involving lighting, stormwater pipes and signage in order for the land development plan to be approved. Mr. Lutz made a motion to grant conditional approval to the Falchini land development plan, including a waiver relative to setbacks for parking spaces.

M. Media Comments/Questions

- Ms. Cernetich asked how many employees are affected by the AFSCME negotiations and who are they.
- Ms. Cernetich asked how much the American Legion will contribute toward the Welcome to Ebensburg sign and what is the total project cost.
- Ms. Cernetich asked why there wasn't more consideration given to lowering the age with regard to the discussion on the curfew ordinance.

N. Public Comments – None

O. Executive Session

Council entered into an executive session at 7:42 pm to discuss a legal matter relative to tax collection.

There being no further business, Mr. Miller made a motion adjourn. (Barber) Motion passed unanimously.

Meeting Adjourned: 8:19 p.m.

Minutes Recorded by:

Danea Koss
Community Development Director