



Ebensburg Borough Council Meeting
Monday, July 23, 2018
6:30 p.m.

Phone: 814-472-8780
E-Mail: eburg@ebensburgpa.com
Website: www.ebensburgpa.com

Borough Council
Doug Tusing, President
Susan Barber, Vice-President
John Cobaugh
Cecilia Houser
Theresa Jacoby
Dave Kuhar
Scot May
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 9A: Approve the minutes of the June 25, 2018 regular monthly meeting of Borough Council.
- Item 9B: Approve the Financial Statement and quarterly transfers.
- Item 9C: Approve payment of bills.
- Item 10G: Grant final approval to a land development application for Ebensburg Animal Hospital at 922 Rowena Drive.

Recommended Action – Approve the consent agenda.

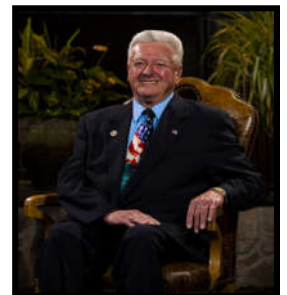
2. APPOINTMENTS TO ADDRESS COUNCIL

Item 2A: Public Service Awards

Thomas Gramling of Westmont, who is currently serving as 1st Vice-President of the Pennsylvania State Association of Boroughs, will present several service awards to borough officials on behalf of PSAB.

Item 2B: Michael Owatt

Mr. Owatt of 612 North Caroline Street wishes to express an opinion that sidewalks are not necessary on either side of North Caroline Street.



3. MAYOR'S REPORT

Item 3A: Report on Police Department

4. COUNCIL PRESIDENT COMMENTS

5. WATER, WASTEWATER & STORMWATER COMMITTEE

Houser, Kuhar & May

Item 5A: Report from Inframark on Wastewater Plant Operations

Plant Supervisor Mark Wirfel will provide a verbal report on projects and activities at the wastewater plant during the month.

Recommended Action – No action required.

Item 5B: Wastewater Project

The project is proceeding in the southern sections of the borough. Staff expects to be sending connection notices to the first 30 or so customers this week.

Recommended Action – No action required.

6. RECREATION COMMITTEE

Barber, Jacoby & May

Item 6A: Paddle Boats

The idea of having paddle boats on Lake Rowena has been floated in the past, but never seriously considered. It has been mentioned frequently in previous resident surveys. Lakemont is selling its paddle boats, so the idea is being considered again. Questions to be considered include user safety, liability insurance, boat maintenance, docking, boat storage, staffing, hours of operation, fees, etc. Staff has not done any research or formed its own recommendation, but suggests that the question be referred to the Recreation Board for research and a recommendation.



Recommended Action – Refer the question of paddle boats on Lake Rowena to the Recreation Board for a recommendation.

7. STREET COMMITTEE

Cobaugh & Houser

Item 7A: Stop Signs

Council referred an issue last month concerning stop signs to the street committee. The committee may have a report.

Recommended Action – Dependent on discussion.

Item 7B: Sidewalk Project

Design of the sidewalk project is underway. Two of the four public meetings have been held, with approximately 40 persons attending each. Those meetings went very well.

An issue remains to be resolved with East Sample Street between Caroline Street and Roberts Street. The previous decision was to require sidewalks on the south side only. Most of the existing sidewalk is on the north side now, and many persons prefer that it be kept on the north side only. Doing so would create a problem with three existing driveways/ retaining walls. Staff is waiting to receive input at all four public meetings before making any recommendation as to whether the sidewalk should remain on the south side, as the Ordinance now states, or if it should be shifted to the north side.

Some residents have strongly suggested that Council reconsider deleting sidewalks from two streets. Several residents along West Triumph Street believe that there is so much congestion with parked vehicles during events at Memorial Field that there should be a sidewalk on both sides. Several residents of North Caroline Street believe that a sidewalk along North Caroline Street north of Highland Avenue is important. Staff suggests that all Council members look at those areas during the next month, and then decide if any changes should be made to the Ordinance. Those can be addressed at the same time staff makes a recommendation regarding East Sample Street.

Recommended Action – No action required.

Item 7C: Natural Gas Project

The gas company informed the borough on July 13th that a major project is planned throughout Ebensburg Borough, the replacement of nearly all main lines. They are aware of the sewer project, and hope to be able to follow the sewer work with the gas project. They intend to begin work in September in areas south of High Street, where the contractor is expected to be completing sewer work.

If all sewer and gas work is completed south of High Street, we should be able to bid a sidewalk project for that area in spring 2019, and have streets resurfaced in late 2019.

The sewer work north of High Street is not expected to be completed until July 2019, therefore the gas project will not be finished until fall 2019. If there is enough time to undertake a sidewalk project north of High Street in 2019, it could only be in areas east of Center Street. It is very unlikely that any street resurfacing could be completed north of High Street in 2019. It is more likely that a sidewalk project north of High Street would occur in early 2020, with street resurfacing to follow.

Recommended Action – No action required.

Item 7D: Street Resurfacing

As described above, it appears that some street resurfacing could be completed in 2019. Side streets such as Locust and Beech will be repaired by the utility contractors, receiving new base and a top coat only in the ditch lines. Streets such as Ogle, Lloyd and West which were in very good condition prior to the excavation will also only be repaired at the ditch lines. South Julian, West Triumph and South Marian, which will see utility excavation and curb excavation will be milled and fully paved. Several other streets such as South Caroline, Lovell and Chris, which would have been due for resurfacing anyway, will be fully paved.

The cost for street resurfacing in 2019 will be approximately \$350,000 and will complete all paving work necessary south of High Street.

All paving north of High Street will need to be postponed until 2020. Utilizing the same criteria for determining the extent of paving work to be done to each street, the cost will be \$550,000 or a total of \$900,000 for paving. The borough has approximately \$750,000 in reserve for street resurfacing, and by 2020 will have the entire amount necessary.

Recommended Action – No action required.

8. ADMINISTRATION COMMITTEE

Barber, Jacoby & Kuhar

9. GENERAL BUSINESS

- * Item 9A: Minutes of Previous Meeting(s)
The minutes of the previous regular meeting are presented for Council review and approval.

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

- * Item 9B: Financial Statement
The financial statement for June 2018 is presented for approval.

At the end of each quarter, transactions are made in order to process fund transfers to and from reserve accounts, and to distribute the cost of capital expenses among the proper accounts. Fund transfers made for the 2nd quarter are attached.

Recommended Action – Approve the June 2018 financial statement and quarterly fund transfers.

- * Item 9C: Bills
A list of bills totaling \$307,784.26 is submitted for approval.

Recommended Action – Approve payment of the bills as submitted.

Item 9D: Fireworks

Recent incidents involving fireworks within the borough have resulted in complaints and safety concerns about fireworks.

The Borough does not currently have an Ordinance that regulates fireworks. Act 43 of 2017 authorizes local municipalities to regulate ‘display fireworks’, but does not grant any authority to regulate “consumer fireworks”. Display fireworks are for public display and must be used by professional pyrotechnicians. Consumer fireworks are those that can be purchased and used by anyone. The Act greatly expands the types and sizes of permissible consumer fireworks that can be sold and used within the Commonwealth. In the absence of an express authorization by the Legislature for municipalities to enact local ordinances to regulate consumer fireworks, the Solicitor should be consulted as to whether Dillon’s Rule applies, which would prohibit Council from further regulating consumer fireworks beyond what Act 43 already does.

The Act allows anyone that is at least 18 years of age to purchase, possess and use consumer fireworks. Fireworks are not permitted on public property, and are prohibited within 150 feet of any building intended for occupancy.

Recommended Action – Dependent on discussion.

Item 9E: Garbage Contract

Since problems with garbage collection were discussed publicly last month, it is only fair that we report publicly that the situation is much improved. Some isolated instances still occur, but it is obvious that the contractor has addressed the problems.

Recommended Action – No action required.

Item 9F: Zoning Amendment

Ebensburg Borough's Zoning Ordinance, and most zoning ordinances, are written in such a fashion that only uses specifically listed are permitted. If a proposed use is not included on that list, it is prohibited. Several months ago, Council discussed whether B&Bs should be permitted in residential districts. The question was referred to the Planning Commission for a recommendation.

The Planning Commission discussed it in June 2017, but it was never referred back to Council. The Planning Commission believes that B&Bs are common place in most older communities, especially those communities with large historic homes such as in Ebensburg. The Commission's recommendation was to permit B&Bs in all zoning districts in which residential occupancies are already permitted.

Recommended Action – Grant tentative approval to Ordinance #644, amending the Ebensburg Borough Zoning Ordinance and allowing B&Bs in all zoning districts in which residential occupancy is already permitted, and advertise for public inspection.

Item 9G: Truck Replacement

One of the Ranger pickups (2009) involved in an accident this month is a total loss. It is important that it be replaced. A replacement was included in the capital budget anyway; staff has been waiting for Ford to reintroduce the smaller Ranger class pickup. If a similar small truck is not yet available, an F-150 will be purchased.

Recommended Action – Approve the purchase of a Ford F-150 or smaller pickup truck from Tri-Star Motors, off State bid list.

10. DEPARTMENT REPORTS

Item 10A: Police Department

Chief Wyland will provide a verbal report on the police department's activities during the month.

Item 10B: Public Works Department

Public Works Director Jeff Evans will provide a verbal report on the public works department's activities during the month.

Item 10C: Community Development

Community Development Director Danae Koss will provide a verbal report on the community development department’s activities during the month.

Item 10D: Recreation Department

Recreation Director Dirk Johnson will provide a verbal report on the recreation department’s activities during the month.

* Item 10E: Codes Enforcement

A monthly codes enforcement report was forwarded to Council.

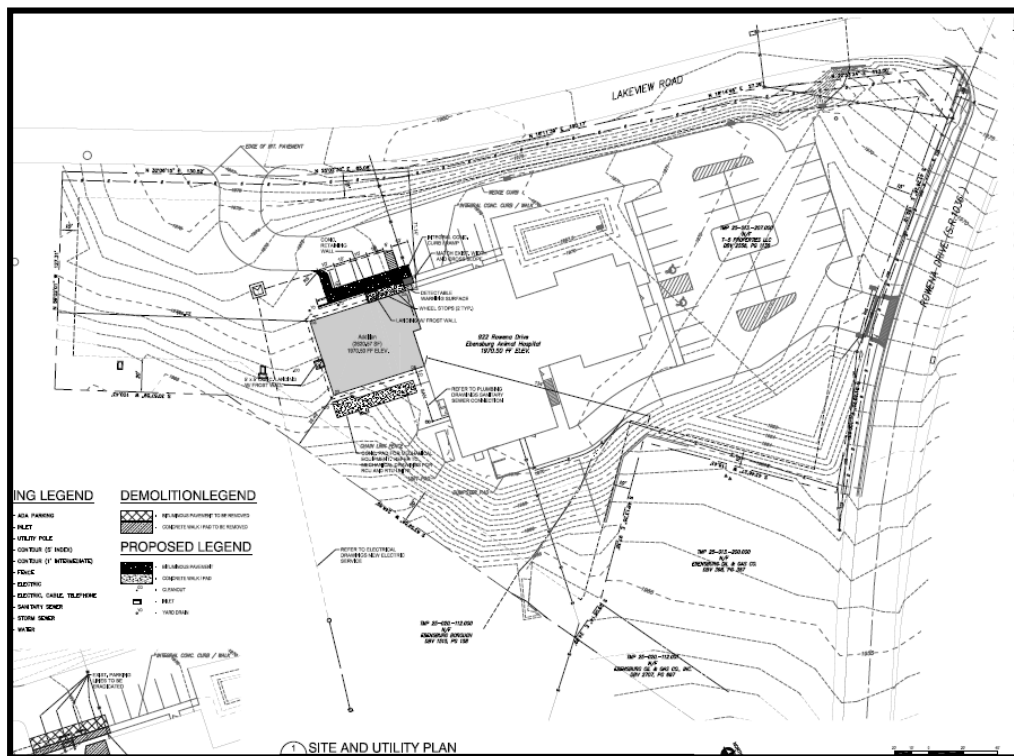
* Item 10F: Ebersburg Municipal Authority

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

* Item 10G: Ebersburg Planning Commission

* 1) Ebersburg Animal Hospital

The Ebersburg Planning Commission has approved a land development application for an expansion of Ebersburg Animal Hospital at 922 Rowena Drive. The addition will be 2,600 sq. ft at the rear of the building along Lakeview Road.



Recommended Action – Grant final approval to a land development application for Ebersburg Animal Hospital at 922 Rowena Drive.

* Item 10H: Ebersburg Zoning Board – No activity

11. 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.

12. PUBLIC COMMENTS

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

13. 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.