

The regular monthly meeting of the Ebensburg Borough Council was called to order on Monday, September 24, 2018 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
Theresa Jacoby
Scot May
Dave Kuhar
Cecilia Houser
John Cobaugh

Others: Daniel Penatzer, Borough Manager
Blair Pawlowski, Solicitor
Terry Wyland, Chief of Police
Jeff Evans, Public Works Director
Mark Wirfel, Severn Trent, Plant Supervisor
Danea Koss, Community Development Director
Dirk Johnson, Recreation Director
Jocelyn Brumbaugh, The Tribune Democrat
Andrew Smithmyer, The Mountaineer Herald

Absent: Randy Datsko, Mayor
Jeff Evans, Public Works Director

Audience: 15

A. The Pledge of Allegiance was recited.

B. **Public Comments** - Mr. Tusing made a correction to his statement last month regarding the loan program through the PA Housing & Finance Agency. The loan program refers to sewer projects but does not cover sidewalk projects.

C. **Consent Agenda**

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

1. Approve the minutes of the August 27, 2018 regular monthly meeting of Borough Council and the public hearing conducted on August 27, 2018.
2. Approve the Financial Statement.
3. Approve payment of bills.
4. Grant final approval to a lot merger at 508 North Spruce Street.

D. **Appointment to Address Council**

1. **Central Commons, North Center Street**

Mr. Joe Sinclair requested Council's permission to rezone the former middle school football field from Single-Household Residential to Mixed Use-Village Commercial, and to have access to Fairview Street so he can put stormwater north of it rather than on the lot.

Mr. Penatzer stated that the property is owned by the Municipal Authority and the lot would require rezoning not a variance.

Mr. Kuhar expressed a number of concerns regarding the rezoning.

Ms. Houser made a motion to refer issue to the Planning Commission for their review. (Cobaugh) Motion passed unanimously.

2. East Sample Street Residents

Ms. Pat Kelly of 624 E. Sample Street once again stated reasons that she is opposed to the sidewalks on E. Sample Street.

Mr. Randall Passanita of 617 E. Sample Street stated that no one that was surveyed on their street wants sidewalks. He expressed that Council is elected to carry out the wishes of the residents, and the residents don't want the sidewalks

Ms. Laverne Ott of 508 E. Sample Street expressed her displeasure with Council making decisions for the people living on E. Sample Street. Asked if Council is taking into consideration people with health issues that won't be able to take care of the sidewalks.

E. **Mayor's Report** – None.

F. **Council President** – None.

G. Water/Wastewater Committee

1. Report from Inframark on Wastewater Plant Operations

Mr. Mark Wirfel, plant supervisor, provided a written report of plant activities which included 27 million gallons of clean water returned to Howells Run, 13.8 tons of sludge was sent to landfill, and there were no excursions for the month of August.

2. Wastewater Project

Mr. Kuhar reported that the wastewater project is proceeding in the southern sections of the borough and is 15% complete, however, 25% of the contract time has elapsed. Restoration of the streets and yards is expected to begin the week of September 24th.

H. **Recreation Committee**

1. YPCC Lease

Ms. Jacoby reported that two leases for the YPCC basement office space are submitted for Council's approval. The first is an amended lease with Child Development Corporation for a reduced amount of space at the rate of \$9.08/sq. ft. The second is a new lease for the rear office area with Goodwill (PA CareerLink) at the rate of 10.50/sq. ft. Both are 3-year leases expiring August 2021 and September 2021, respectively.

Ms. Jacoby made a motion to approve an amended lease with Child Development Corporation for YPCC office space at the rate of \$9.08/sq.ft. (Barber) Motion passed unanimously.

Ms. Jacoby made a motion to approve a lease with Goodwill of the Southern Alleghenies for YPCC office space at the rate of \$10.50/sq. ft. (Barber) Motion passed unanimously.

2. Swimming Pool Loan

Ms. Jacoby reported that in 2011, a 10-year loan was obtained for the swimming pool renovation project. The current balance of the loan is approximately \$155,000. Instead of the required annual payment of \$84,000, the borough has been paying \$96,000 annually in order to retire the loan early. Staff recommends that the debt be retired now, three years ahead of schedule. The interest rate on the loan is 3.3%. The interest rate on investments is 1.9%.

Ms. Jacoby made a motion to approve payoff of the swimming pool loan in the amount of approximately \$155,000. (Barber) Motion passed unanimously.

I. Street Committee – None.

J. Administration Committee

1. AFSCME Labor Agreement

The administrative committee has had three meetings with the AFSCME representatives to negotiate a renewal of the AFSCME labor agreement, which expires at the end of 2018. Both sides are meeting with a mediator on October 3rd.

2. Employee Pension Plans

Ms. Barber reported that 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. 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.

Non-Uniformed Plan

	<u>2015</u>	<u>2016</u>	<u>2017</u>	<u>2018</u>	<u>2019</u>
Financial Requirement	\$100,379	\$87,574	\$86,392	\$140,562	\$149,648
Employee Contributions	<u>-\$17,196</u>	<u>\$16,816</u>	<u>\$10,999</u>	<u>-\$17,057</u>	<u>-\$19,140</u>
MMO	\$83,183	\$70,758	\$75,393	\$123,505	\$130,508
State Aid	<u>-\$50,348</u>	<u>\$50,348</u>	<u>\$56,870</u>	<u>-\$59,647</u>	<u>-\$65,581</u>
Borough Share	\$32,835	\$20,410	\$18,523	\$63,858	\$64,927

Uniformed Plan

	<u>2015</u>	<u>2016</u>	<u>2017</u>	<u>2018</u>	<u>2019</u>
Financial Requirement	\$97,391	\$35,575	\$39,902	\$46,831	\$54,656
Funding Adjustment		\$11,555	\$11,555	-\$4,140	-\$4,140
Employee Contributions	<u>-\$11,477</u>	<u>\$10,453</u>	<u>-\$7,035</u>	<u>-\$6,992</u>	<u>-\$8,160</u>
MMO	\$85,914	\$13,567	\$21,312	\$35,699	\$42,356
State Aid	<u>-\$23,237</u>	<u>-\$9,386</u>	<u>\$16,622</u>	<u>-\$35,699</u>	<u>-\$42,356</u>
Borough Share	\$62,677	\$4,181	\$4,690	\$0	\$0
Net Cost to Borough	\$95,512	\$24,591	\$23,213	\$63,858	\$64,927

Ms. Barber made the following motions:

Adopt the minimum municipal obligation (MMO) calculation for the non-uniformed pension plan in the amount of \$130,508. (May) Motion passed unanimously.

Adopt the minimum municipal obligation (MMO) calculation for the uniformed pension plan in the amount of \$42,356. (May) Motion passed unanimously.

Adopt Resolution #2018-06 establishing an employee contribution rate of 3% (unchanged) for the non-uniformed pension plan for 2019. (May) Motion passed unanimously.

Adopt Resolution #2018-07 establishing an employee contribution rate of 3% (unchanged) for the uniformed pension plan for 2019. (May) Motion passed unanimously.

Adopt Resolution #2018-08 authorizing distribution of the State aid check to the respective employee pension plans. (May) Motion passed unanimously.

3. Review of 2019 Annual Budget Preparation

Ms. Barber reported that the Manager is preparing preliminary budget numbers. The administrative committee will meet at 6 pm on Monday, October 8th to compile a

tentative budget for Council's review at the October meeting. Final adoption is expected at the November Council meeting.

3. **2018 Audit**

Mr. Penatzer stated that regulations require that the auditor be designated prior to the end of each year. Ms. Barber made a motion to adopt Resolution #2018-09 appointing Wessel & Company as auditor for 2018. (Kuhar) Motion passed unanimously.

K. **General Business**

1. **Energy Contract**

Mr. Penatzer shared that the borough's current energy suppliers are Constellation and American gas & Power. The American Gas & Power contract is month to month. The Constellation contract expires at the end of 2018. Competitive pricing was sought through APPI Energy, a joint municipal purchasing program available through the PA Municipal League. Forty companies were asked for quotes, with 16 responses. APPI recommends a 48-month contract with WGL Energy at a rate of 5.657/kWh. That will achieve an annual savings of approximately \$15,000, or a 14% decrease in energy costs.

Mr. Kuhar made a motion to award a four year contract to WGL Energy at the rate of 5.657/kWh, expiring December 2022. (Jacoby) Motion passed unanimously.

2. **Municipal Authority Appointment**

Ms. Kristina Strosnider had resigned from the Ebensburg Municipal Authority. The Authority is now looking for a replacement to complete the 5-year term that expires on 12/31/2018.

L. **Department Reports**

1. **Police Department** – Chief Wyland reported on last month's activities including two Drug Take Back days that resulted in 197 lbs of unused medications. He also added that he's given a few talks on scams and bike safety to local groups.

2. **Public Works Department** – None.

3. **Community Development Department**

1. Ms. Koss reported on Volunteer Appreciation Night and volunteer of the year, Dr. Kerry Kirsch, upcoming PotatoFest and Fall Foliage Ride, Ebensburg being featured on the cover of the Municipal Reporter magazine publication and the Boroughs' Association meeting on October 23rd. She added that the following resolution was for a grant application that she is submitting to DCED for another façade restoration program.

2. Resolution 2018-10 is submitted to Council authorizing an application to DCED for façade funding.

Ms. Houser made a motion to adopt Resolution 2018-10 authorizing an application to DCED for façade funding. (Jacoby) Motion passed unanimously.

4. **Recreation Department** – Mr. Johnson reported on last month’s activities including updates at the Tennis Center as well as a grant that was approved for adding blended lines for younger players, and he reported that the Pooch Party that was held at the pool earlier in the month was a great success with more than 50 dogs attending.

5. **Ebensburg Zoning Board** – None.

M. **Media Comments/Questions** – None.

N. **Public Comments**

Mr. Ron Bowman of Chris Street asked Council to reconsider what they think is a snow plowing problem on Chris Street. He stated that he’s lived there 34 years and it’s never been a safety issue. He added that there was an agreement in 1999 that all contiguous land owners signed to close the street and extending Chris Street would be in violation of the agreement.

Mr. Sinclair on W. Crawford Street asked if someone could get him a list of items needed to present to the Planning Commission. He also asked if home owners are responsible for the removal of the trees that were taken down.

Mr. Tony Palumbo of 511, 512 – 514 E. Sample Street stated that the new sidewalks are going to ruin all the cement and we shouldn’t have the new sidewalks.

There being no further business Mr. Cobaugh made a motion to adjourn. (Kuhar) Motion passed unanimously.

Meeting Adjourned: 7:36 PM

Minutes Recorded by: Danae Koss, Community Development Director