



**Ebensburg Borough Council Meeting**  
**Monday, March 25, 2019**  
**6:30 p.m.**

Phone: 814-472-8780  
E-Mail: [eburg@ebensburgpa.com](mailto:eburg@ebensburgpa.com)  
Website: [www.ebensburgpa.com](http://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 February 25, 2019 regular monthly meeting of Borough Council.
- Item 9B: Approve the financial statement.
- Item 9C: Approve payment of bills.
- Item 9E: Approve advertising for bids for the sale of a 2007 mower, a 2008 pickup truck, and a 1999 International dump truck.

Recommended Action – Approve the consent agenda.

**2. APPOINTMENTS TO ADDRESS COUNCIL**

- Item 2A: Dauntless Fire Company**  
Chief Mike Sheehan and President Ron Springer will provide Council with a report from the fire department.

**3. MAYOR'S REPORT**

- Item 3A: Report on Police Department**

**4. COUNCIL PRESIDENT COMMENTS**

**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 progressing. The overall project is 46% complete, however, 66% of the contract time has elapsed.

Recommended Action – No action required.



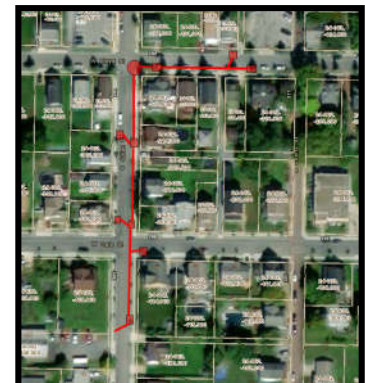
**Item 5C: Stormwater Project**

The two stormwater projects, to be completed prior to street paving in the south section of town, were advertised for bids.

1) East Ogle Street – This project involves the replacement of four existing catch basins in the 700 block of East Ogle Street, and the installation of approximately 450’ of 15” pipe. The existing system is collapsed and obstructed, causing stormwater damage to the gravel alley and adjacent storage buildings. An easement has already been obtained for the private property involved.



2) South Julian Street – This project involves the installation of nine new catch basins and one manhole along the 200 block of West Lloyd Street, and then down the 200 and 300 blocks of South Julian Street. Approximately 820’ of 15” pipe will be installed, connecting to an existing basin in front of 315 South Julian Street. This will correct street flooding that occurs from stormwater rushing from the area of the municipal parking lot onto Lloyd Street, and the stormwater that flows down Julian Street.



The following bids were received:

Whitehorse Excavating, Berlin, Pa	\$155,200.00
Snyder Excavating, Johnstown, Pa	\$157,790.00
Ray Winters & Sons, Inc., Indiana, Pa	\$164,880.00
Ventura Construction, Altoona, Pa	\$166,935.00
Dave Roman Excavating, Reynoldsville, Pa	\$197,471.00
Oppy Construction, Johnstown, Pa	\$302,710.58

The project estimate was erroneously \$85,000. Street restoration and the cost of the new storm basins were omitted from the project estimate. The bids do represent an appropriate cost for the project.

The project schedule is as follows:

- Bid Award: March 25, 2019
- Notice to Proceed: March 26, 2019
- Project Completion: June 30, 2019

Recommended Action – Approve awarding a contract to Whitehorse Excavating for stormwater improvements on East Ogle Street and South Julian Street, in the amount of \$155,200.00.

**Item 5D: Virginia Street**

This project involves the replacement of approximately 534 feet of 8” main and one manhole, connecting to an existing manhole at the east end of the street..

The following bids were received:

Kevin Lute, Ebsensburg, Pa	\$49,900.00
Whitehorse Excavating, Berlin, Pa	\$57,250.00
Snyder Excavating, Johnstown, Pa	\$64,890.00
Dave Roman Excavating, Reynoldsville, Pa	\$89,848.00
Reynoldsville, Pa	

The project estimate was \$40,000 to be paid from the wastewater reserve. The project schedule is as follows:

- Bid Award: March 25, 2019
- Notice to Proceed: March 26, 2019
- Project Completion: June 30, 2019



Recommended Action – Approve awarding a contract to Kevin Lute for sewer main replacement along Virginia Street, in the amount of \$49,900.00.

**Item 5E: Wastewater Rules & Regulations**

The Ebsensburg Municipal Authority has amended the Wastewater Rules and Regulations, as follows:

1. An escalating scale was added to the surcharge. For customers who fail to satisfy the deadline for required remedial work, a 35% surcharge is assessed. Now, that surcharge will increase every two months to 50%, 75%, and up to 100%. This will allow a full year after the deadline for repairs to be made before a notice of service termination would be issued. This does not require an Ordinance amendment, as the

current language states, when referring to a surcharge, “as determined from time to time by the Authority.”

2. The minimum escrow amount was increased from \$2,000 to \$3,000 to more closely reflect our actual experience with costs. Instead of stating a specific amount, the proposed Ordinance amendment requires “security in the amount, established from time to time by the Rules and Regulations of the Ebensburg Municipal Authority”, negating the need for future Ordinance amendments for this purpose.
3. Allow the purchaser of property to assume responsibility for required repairs/testing.
4. Delete a reference to SCH 40 pipe. It is not permitted. SDR 35 pipe is required. (not addressed in Ordinance)
5. Update the sewer lateral installation detail sketch. (not addressed in Ordinance)

Recommended Action – Grant tentative approval to Ordinance #650, amending the Wastewater Ordinance to reflect changes to the Rules and Regulations adopted by the Ebensburg Municipal Authority, and advertise for public inspection.

**6. RECREATION COMMITTEE**

**Barber, Jacoby & May**

**7. STREET COMMITTEE**

**Cobaugh & Houser**

**Item 7A: Union Street Parking**

The parking regulations on Union Street have been amended several times over the years. It is a very difficult street to plow and sweep, especially at the intersection with Locust Street, due to the narrowness of both streets. The current regulations ban parking at any time on the north side, and prohibit parking on the south side during winter months. Staff is recommending that parking be banned at all times on the street. There is only one residence on that street, and it has off-street parking available. In addition to banning parking, Ordinance #649 designates Union Street as a tow-away zone.



Recommended Action – Grant tentative approval to Ordinance #649, prohibiting parking on Union Street at any time, and designating it as a tow-away zone, and advertise for public inspection.

**Item 7B: Sidewalk & Curb Project**

The sidewalk and curb project in areas south of High Street was advertised for bids. It is to be completed prior to street paving in the south section of town.

- 1) South Caroline Street – This project is limited to the 100 and 200 blocks. Sidewalk will be installed on the east side, and new curb will be installed on both sides.
- 2) South Marian Street – This project includes all three blocks. Sidewalk will be installed on both sides of the 100 block, and on the west side of the 200 and 300 blocks. New curb will be installed on both sides.
- 3) West Triumph Street – This project includes all four blocks. Sidewalks will be installed on both sides of the 100 block, and on the south side of the remaining blocks. New curb will be installed on both sides.

The following bids were received:

	<u>Curb/LF</u>	<u>Sidewalk/SY</u>	<u>Total</u>
Kishmo, Inc., Apollo	\$57.00	\$128.00	\$461,672.00
Gulisek Construction, Mt. Pleasant	\$65.50	\$180.00	\$579,228.00
Glenn Hawbaker Inc., State College	\$61.65	\$196.85	\$585,778.40
Ventura Construction, Altoona	\$93.00	\$161.00	\$682,448.00
Gordon DeLozier Inc., Hollidaysburg	\$116.00	\$145.00	\$768,616.00

The project estimate was \$375,000. While the curb cost is close to that estimated, the cost of sidewalk is substantially higher. The sidewalk cost in the two most recent sidewalk projects in 2013 and 2015 was \$78 and \$83, respectively. Despite the higher than anticipated bids, staff recommends that the contract be awarded. The low bid is substantially below the other four bids, and there is no reason to believe that rebidding will result in a lower cost.

Council may choose to fix a sidewalk assessment that is closer to the costs previously paid by property owners in earlier projects. Staff suggests that an assessment of \$100/sq. yd. might be appropriate. That would mean that the Borough would be incurring approximately \$41,440 in additional costs.

The net cost for this project to the Borough, after property owner assessments, is \$270,700 (assuming the lower assessment is approved). While a loan will be required for future sidewalk work north of High Street, debt will not be required for this project.

The project schedule is as follows:

- Bid Award: March 25, 2019
- Notice to Proceed: March 26, 2019
- Project Completion: August 1, 2019

Recommended Action #1 – Approve awarding a contract to Kishmo, Inc. for a sidewalk and curb project on South Caroline Street, South Marian Street and West Triumph Street in the amount of \$461,672.00.

Recommended Action #2 – Dependent on discussion. If Council wishes to fix a lower property owner assessment, that would require approval.

**8. ADMINISTRATION COMMITTEE** **Barber, Jacoby & Kuhar**

**Item 8A: Summer Applications**

Applications for summer positions were due on March 18<sup>th</sup> and staff has reviewed those. The following are recommended for summer employment.

Office Assistant

Jocelyn Rainey                      Tanner Street

Summer Maintenance

Dontae O’Neal	Manor Drive	3 <sup>rd</sup> yr.
Evan Becquet	New Germany Road	2 <sup>nd</sup> yr.
Alex Koenigsberg	East High Street	1 <sup>st</sup> yr.

<u>Landscaping Assistant</u>		
Elisabeth Keim	Colver Road	1 <sup>st</sup> yr.
<u>Summer Public Works</u>		
Sebastian Brown	Wood Avenue	1 <sup>st</sup> yr.
Christopher Walters	Horseshoe Drive	1 <sup>st</sup> yr.
Brendan Johnson	Tanner Street	1 <sup>st</sup> yr.
<u>Memorial Field</u>		
Brandon Frank	Nanty Glo	1 <sup>st</sup> yr.
<u>Swimming Pool Manager</u>		
Madyson Simmers	Vetera Road	6 <sup>th</sup> yr.
<u>Lifeguards</u>		
Zander Johnson	East Highland Avenue	5 <sup>th</sup> yr.
Nolan Johnson	East Highland Avenue	4 <sup>th</sup> yr.
Allyson Simmers	Vetera Road	3 <sup>rd</sup> yr.
Samuel Swope	Emerald Drive	3 <sup>rd</sup> yr.
Ian Swope	Portage	2 <sup>nd</sup> yr.
Zachary Malay	North West Street	1 <sup>st</sup> yr.
Matthew Gauden	Myers Street	1 <sup>st</sup> yr.
Darron Koss	Tanner Street	1 <sup>st</sup> yr.
Karson Johnson	East Highland Avenue	1 <sup>st</sup> yr.
Caitlin Cochran	1 <sup>st</sup> Street, Colver	1 <sup>st</sup> yr.
Seth Faraaugh	Adams Avenue	1 <sup>st</sup> yr.
Serena Koss	Truman Street	1 <sup>st</sup> yr.
Elizabeth Bopp	Winterset Road	1 <sup>st</sup> yr.
Tina Hildebrand	BelAir Road	1 <sup>st</sup> yr.
Kendra Fox	Wilmore Road	1 <sup>st</sup> yr.
Abby O'Brien	North Spruce Street	1 <sup>st</sup> yr.

Recommended Action #1 – Make it a matter of record that the persons listed above have been hired to the respective positions in public works, summer maintenance, Memorial Field, lifeguards, landscaping and office assistant at the rate of \$8.50/hr.

Recommended Action #2 – Make it a matter of record that Madyson Simmers has been hired as Pool Manager at the rate of \$12.50/hr.

Recommended Action #3 – Make it a matter of record that Ronald Springer has been hired as landscaper at the rate of \$10.00/hr.

## 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 February 2019 is presented for approval.

Recommended Action – Approve the February 2019 financial statement.

- \* Item 9C: Bills  
A list of bills totaling \$373,873.08 is submitted for approval.

Recommended Action – Approve payment of the bills as submitted.

**Item 9D: Truck**

It is necessary to replace a 2008 Ranger pickup truck. The only small pickup made today is a Nissan. As that class truck is not on the State bid list, bids were advertised.

Recommended Action – Approve the purchase of a 2019 Nissan Frontier from Laurel Nissan at a cost of \$28,453.

- \* Item 9E: Sale of Equipment  
Several pieces of equipment are in the process of being replaced. A 2007 zero-turn mower is in very worn condition, but operable. A 2008 Ranger pickup truck is worn out, but operable. A 1999 International truck requires expensive engine repairs, is not operable, and is offered for sale as is.

Recommended Action – Approve advertising for bids for the sale of a 2007 mower, a 2008 pickup truck, and a 1999 International dump truck.

**Item 9F: Ebensburg Airport**

A proposal has been presented to Council’s administrative committee relative to the future of the Ebensburg Airport. Because the issue would ultimately involve the sale or lease of the property, little at this point can be made public.

In 2002, Council was engaged in a debate about the airport’s future. There was general agreement that the airport was in a deteriorated condition, and that it could not be permitted to continue to operate in the same manner. Some felt that the airport was important to the region’s economy, and that the Borough should continue to operate it, and invest in improvements. On the other extreme, some felt that the airport was a financial drain on the Borough, that the Borough should simply sell the airport, and that the land was more valuable if used for some other commercial use. In the end, RACRA was formed, and the airport was leased to RACRA. This allowed the airport to continue to function, and the Borough’s financial obligations ceased. Since then, a few minor projects have been undertaken at the airport for which Federal and State grants were obtained, with RACRA raising funds to satisfy the required match. Today, the Ebensburg Airport looks much like it did in 2002.

The proposal being considered was presented to Council’s administrative committee. RACRA and the airport engineer attended that meeting.

General details concerning the proposal that can be discussed publicly at this time include the following.



A privately-owned business wishes to purchase the airport. He would create a non-profit to own the airport, and the business would operate on the property as a fixed-base operator (FBO). The business is aviation related. Ownership by a non-profit is necessary in order to qualify for foundation grants, along with FAA and State grants.



As the airport would continue to exist and operate as a functional airport, there would be no requirement to return previous grant funds, and the grant obligations would be transferred to a new owner.

Such an arrangement would appear to satisfy all sides of the earlier debate. 1) The Borough could receive the fair market value of the property; 2) Previous grant obligations would not be a factor; 3) The airport would continue to operate as an airport, with improvements.

This matter will be discussed in more detail in an executive session at the conclusion of tonight's meeting.

Recommended Action – Refer the matter of the airport's future development to Council's administrative committee for further evaluation.

## 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 Dana 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: Ebensburg Municipal Authority  
A copy of the minutes of the last municipal authority meeting is included in Council’s packet.
- \* Item 10G: Ebensburg Planning Commission – No activity
- \* Item 10H: Ebensburg 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. EXECUTIVE SESSION

*An executive session is necessary to discuss the airport issue, for which no official action is expected, and to discuss the submission of an offer for the purchase of a property, for which official action may follow.*

## 14. 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](http://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](mailto:eburg@ebensburgpa.com). Notification 48-hours before the meeting will enable the Borough to make reasonable arrangements to ensure accessibility to this meeting.*