

The regular monthly meeting of the Ebensburg Borough Council was called to order on Monday, August 24, 2020 at 6:30 p.m. at the Ebensburg Municipal Building, 300 W. High Street, Ebensburg, by President Doug Tusing.

Present: Doug Tusing, President
Dave Kuhar, Vice President
Theresa Jacoby
Scot May
Cecilia Houser
Mike Owatt
Absent: Jeff Ball
Others: Daniel Penatzer, Borough Manager
Randy Datsko, Mayor
Blair Pawlowski, Solicitor
Terry Wyland, Police Chief
Dirk Johnson, Recreation Director
Mark Pesto, The Tribune Democrat
Kristen Baudoux, The Mountaineer Herald

Audience: 14

A. The Pledge of Allegiance was recited.

B. **Public Comments** – None.

C. **Consent Agenda**

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

1. It is a matter of record that \$1,750,000 was transferred from an Ameriserv CD to the FNB money market.
2. It is a matter of record that Logan Prokop has been hired as a laborer in Public Works effective 9/7/2020.
3. Approve the minutes of the July 27, 2020 regular monthly meeting of Borough Council.
2. Approve the Financial Statement and quarterly transfers.
3. Approve payment of bills.
4. Approve amendments to the Airport Capital Improvement Plan.

D. **Appointment to Address Council** – None.

E. **Mayor's Report** – None.

F. **Council President** – Mr. Tusing reported that there was more interest from Council than there were spots available for the diversity committee, so he assigned the following members; Mr. Scot May, Ms. Cecilia Houser and Mr. Dave Kuhar.

G. Water/Wastewater Committee

1. Report from Inframark on Wastewater Plant Operations

Mr. Kuhar reported that Inframark provided written reports for wastewater plant and they were provided in Council's packets.

2. Report from Inframark on Water Treatment Plant Operations

Mr. Kuhar reported that Inframark provided written reports for the water plant and they were provided in Council's packet.

H. Recreation Committee – None.

I. Street Committee

1. 2020 Sidewalk Project

Ms. Houser reported that East Crawford Street, East Horner Street and North Caroline Street are essentially completed and that work continues there on landscaping. She added that work on East Sample Street is progressing well and the project deadline is September 15th, though it may take a week or so more to complete.

2. 2020 Street Resurfacing

Mr. Owatt reported that the milling and resurfacing of streets in the northeast quadrant has been advertised for bids. The following bids were received:

	<u>Milling (LF)</u>	<u>Leveling</u>	<u>Wearing</u>	<u>Total</u>
New Enterprise	\$2.10	\$61.70	\$60.65	\$382,274.40
Grannas Brothers	\$1.87	\$64.64	\$64.64	\$389,059.33
Quaker Sales	\$1.06	\$71.25	\$77.60	\$407,609.45
HRI	\$2.13	\$90.55	\$84.45	\$493,571.20

Mr. Kuhar made a motion to award a contract in the amount of \$382,274.40 to New Enterprise. (Houser) Motion passed unanimously.

J. Administration Committee

1. Employee Pension Plans

Ms. Jacoby 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. The state aid unit value for 2021 has not yet been announced, but is not necessary in order to adopt the actuarially determined MMO. The state aid listed below is approximated. 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

	2017	2018	2019	2020	2021
Financial Requirement	\$86,392	\$140,562	\$149,648	\$155,989	\$157,752
Employee Contributions	-\$10,999	-\$17,057	-\$19,140	-\$20,593	-\$16,831
MMO	\$75,393	\$123,505	\$130,508	\$135,396	\$140,921
State Aid	-\$56,870	-\$59,647	-\$65,581	-\$68,000	-\$66,600
Borough Share	\$18,523	\$63,858	\$64,927	\$67,396	\$74,321

Uniformed Plan

	2017	2018	2019	2020	2021
Financial Requirement	\$39,902	\$46,831	\$54,656	\$48,826	\$61,048
Employee Contributions	-\$7,035	-\$6,992	-\$8,160	-\$7,290	-\$8,974
Funding Adjustment	-\$11,555	-\$4,140	-\$4,140	-\$4,140	-\$1,032
MMO	\$21,312	\$35,699	\$42,356	\$37,396	\$51,042
State Aid	-\$16,622	-\$35,699	-\$42,356	-\$37,396	-\$51,042
Borough Share	\$4,690	\$0	\$0	\$0	\$0

NET COST FOR BOTH PLANS \$23,213 \$63,858 \$64,927 \$67,396 \$74,321

Ms. Jacoby made the following motions:

Adopt the minimum municipal obligation (MMO) calculation for the non-uniformed pension plan in the amount of \$140,921. (Kuhar) Motion passed unanimously.

Adopt the minimum municipal obligation (MMO) calculation for the uniformed pension plan in the amount of \$51,042. (Kuhar) Motion passed unanimously.

Adopt Resolution #2020-08 establishing an employee contribution rate of 3% (unchanged) for the non-uniformed pension plan for 2021. (Kuhar) Motion passed unanimously.

Adopt Resolution #2020-09 establishing an employee contribution rate of 3% (unchanged) for the uniformed pension plan for 2021. (Kuhar) Motion passed unanimously.

Adopt Resolution #2020-10 authorizing distribution of the State aid check to the respective employee pension plans. (Kuhar) Motion passed unanimously.

2. 2020 Audit

Ms. Jacoby made a motion to adopt Resolution #2020-11 appointing Wessel & Company as auditor for 2020. (Houser) Motion passed unanimously.

K. General Business

1. Special Events & Parades, Ordinance #653

Ms. Houser reported that Ordinance #653 is proposed to provide a process through which permits for the special events and parades can be applied for. The Ordinance was granted tentative approval last month, has been advertised for public inspection and is ready for final adoption. Ms. Houser made a motion to grant final approval to Ordinance #653 providing for the permitting of special events and parades and advertise for public inspection.

2. Airport Runway Project

Ms. Jacoby reported that bids for the runway resurfacing project were considered by Council in May. The low bid was \$278,100 from Grannas Brothers. The bid is good for 120 days, or until September 15th. The grant for the project has not yet been fully executed by PennDOT's Bureau of Aviation., and due to the delays at the FAA it is not expected to be executed before September 15th. The normal procedure is to wait for full grant execution before awarding a contract. PennDOT is permitting contracts to be awarded prior to grant execution so that the projects can be completed this year to avoid the need for rebidding. The Bureau is assigning that the grant has been awarded and will eventually be executed. The only risk in awarding a contract prior to grant execution is that the project may be completed and require the Borough to make payment prior to actually receiving the grant funds. The Borough has sufficient funds on hand to bridge any gap.

Ms. Jacoby made a motion to award a contract to Grannas Brothers in the amount of \$278,100.00 for resurfacing of the airport runway. (Kuhar) Motion passed unanimously.

3. Outdoor Burning

Mr. Penatzer reported that the Outdoor Burning Ordinance was last discussed in 2017. The current Ordinance allows open burning on Tuesdays between 8 a.m. and 5 p.m. and on Saturday mornings. In 2017, an Ordinance was proposed that banned all outdoor burning with the exception of recreational fires. Council then declined to make any changes to the Ordinance.

Outdoor burning continues to be a regular complaint of residents. The Mayor, Manager and Chief of Police all urge Council to again consider proposed Ordinance #654 banning outdoor burning.

Mr. May made a motion to tentatively adopt Ordinance #654 banning outdoor burning with the exception of recreational fires. (Houser) Roll call was taken:

Tusing	Yes	Houser	Yes	
Kuhar	Yes	May	Yes	
Owatt	Yes	Jacoby	No	Motion passed.

L. Department Report – provided in Council’s packet.

1. **Police Department** – None.
2. **Public Works Department** – None.
3. **Community Development Department** – None.
4. **Recreation Department** – None.

5. Ebensburg Zoning Board

Lot Merger, 320 East High Street

Ms. Houser reported that a lot merger of three contiguous vacant parcels at 320 East High Street is proposed. The matter is scheduled for review by the Planning Commission on September 3rd, but the applicant is seeking early Council approval subject to the Planning Commission.

Ms. Houser made a motion to approve the proposed lot merger at 320 East High Street contingent upon Planning Commission approval. (Jacoby) Motion passed unanimously.

Middle School Football Field

Mr. Penatzer reported that Central Commons is again requesting rezoning of the former middle school football field. The field is currently zoned Single-Household Residential.

Mr. Owatt made a motion to schedule a public hearing to discuss rezoning the former Middle School Football Field for October 5th. (Kuhar) Motion passed unanimously.

M. Media Comments/Questions – None.

N. Public Comments

Mr. Wayne Templeton, 902 N. Caroline Street, informed Council that there appears to be illegal dumping going on at the north end of Caroline Street. He’d like to see “No Dumping” signs placed in that area.

O. Adjournment – There being no further business, Ms. Jacoby made a motion to adjourn. (Houser) Motion passed unanimously.

Meeting Adjourned 6:59 PM

Minutes Recorded by: Danae Koss, Community Development Director