

The regular monthly meeting of the Ebensburg Borough Council was called to order on Monday, March 22, 2021 at 6:30 p.m. via Zoom, by President, Doug Tusing.

Present: Doug Tusing, President
Dave Kuhar, Vice President
Theresa Jacoby
Scot May
Mike Owatt
Cecilia Houser
Will Westrick, Junior Councilor

Absent: Jeff Ball

Others: Randy Datsko, Mayor
Kelly Cook, Incoming Borough Manager
Blair Pawlowski, Solicitor
Danea Koss, Community Development Director
Dirk Johnson, Recreation Director
Jeff Evans, Public Works Director
Kristen Baudoux, The Mountaineer Herald

Audience: 1

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. Approve the minutes of the February 22, 2021 regular monthly meeting of Borough Council.
2. Approve the financial statement.
3. Approve payment of bills.

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

E. **Mayor's Report** – Mayor Datsko gave an update on police department staffing returning to normal now that the officers have returned being out sick with the virus.

F. **Council President** – Mr. Tusing reported that the number of Covid-19 cases is looking better, though there seemed to be a recent uptick. He added that he anticipates that meetings will continue via Zoom through April and possibly longer – at least until the maximum capacity for indoor gatherings is increased to 50% occupancy.

G. Water/Wastewater Committee

1. Report from Inframark on Wastewater Plant Operations

Mr. Kuhar reported that Inframark provided written reports for the 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

1. Fish Stocking

Mr. Owatt reported that following the draining and subsequent refilling of the Lower Reservoir, the Recreation Committee discussed the desire to replenish the fish population. It was also discussed at that time to stock Jenks Dam with pan fish and restrict the fishing there to children age 13 and under, catch and release only.

The cost to restock the Lower Reservoir and Jenks Dam is as follows:

Year 1: \$1,595.00 Year 2: \$4,030.00 Year 3: \$2,530.00

Mr. Owatt shared that the prices may vary for upcoming years. The first year requires largemouth bass and minnows. The second year is more expensive with largemouth bass, bluegills, minnows, and channel catfish. They would be purchased from Zetts Fish Farm. Due to their proximity to the Borough, the delivery charge would be minimal. It should be noted that The Fish Commission may be able to assist us with the purchase of the fish after this year.

Mr. Owatt made a motion to approve the 2021 purchase of fish from Zetts Fish Farm for the Lower Reservoir and for Jenks Dam in the amount of \$1,595.00. (Jacoby) Motion passed unanimously.

Mr. Owatt made a motion to approve the designation of Jenks Dam as "catch and release only" for children age 13 and under. (Jacoby) Motion passed unanimously.

I. Street Committee

1. 2021 Sidewalk Project

Ms. Houser reported that Ameron Construction was issued a notice to proceed on April 1, 2021.

2. 2021 Tree Cutting Project

Ms. Houser reported that Tree Expert Tree Service was issued a notice to proceed on February 23, 2021 and the work should be completed by March 19, 2021.

J. Administration Committee

1. Oversight of the 2021 Sidewalk Project

Mr. Kuhar reported that the 2021 sidewalk project is beginning just as the new Borough Manager is getting acclimated to Ebensburg. Already complicating the project is Peoples Gas intent to move ahead with a gas line replacement on West Crawford, West Sample, North Julian and North Marian. The sidewalk contractor has been instructed to begin their work on Horner to allow time for Peoples to complete at least one of the streets. The upside to having the gas line project done now is that they will not be cutting into new blacktop shortly after paving. Additionally, we have arranged for cost sharing of this fall's milling and paving, as Peoples has agreed to pay the borough a considerable sum to help with these costs. This was done two years ago and it saved the borough a significant amount in liquid fuels funds. The downside of the current project is the need to keep the contractors apart, and further congestion in the neighborhood.

In order to facilitate a smooth transition, maintain consistency with all practices from past projects, and ensure that the 2021 sidewalk project is completed with as few problems as possible to our residents, the Borough Manager hired Dan Penatzer on a limited, part-time basis to provide continued oversight to the project. The Administrative Committee recommended that the pay rate for Mr. Penatzer be set at \$22.75 per hour, with no additional benefits.

It is a matter of record that Dan Penatzer has been hired to oversee the 2021 sidewalk project effective 3/7/2021.

Mr. Kuhar made a motion to approve a pay rate of \$22.75 per hour for Mr. Penatzer to oversee the 2021 sidewalk project. (Houser) Roll call was taken:

Tusing	Yes	Jacoby	Yes	
Houser	Yes	May	No	
Owatt	No	Kuhar	Yes	Motion passed 4-2.

K. Diversity Committee – Mr. May reported that programming is in a delay pattern due to the pandemic, but commitments with local groups are being made and preparations are underway for quick rollout once restrictions are sufficiently eased.

L. General Business

1. Computer Exchange Server Breach

Ms. Cook reported that the borough received notification from Precision Business Solutions (PBS) that our email server was breached on or around February 28, 2021 as part of a huge, national hacking effort to access various government and corporate accounts through a vulnerability in Microsoft's software. Staff is fully confident that no sensitive data was compromised, as this type of data is not stored in emails. PBS notified

the Borough immediately and took necessary steps to prevent further access into the system.

M. Department Report

1. **Police Department** – Written report only.
 2. **Public Works Department** – Mr. Evans reported that the public works department will be opening the yard waste dumpster site later in the week. Additionally, they have been doing some clean up work around Lake Rowena and identifying infiltration issues.
 3. **Community Development Department** – Ms. Koss reported that the Virtual Art in Bloom plans are underway and around 50 entries have already been submitted. She added that the Ebensburg's Historic Keystone Marker has been removed from storage and will be repaired and placed in the yard at the Cambria County Historical Society. She added that the Main Street Partnership events are being planned for this year and that modifications will be made if necessary. Ms. Koss gave a reminder on Spring Clean-up dates of April 29 & 30 and, lastly, announced that Junior Councilor Will Westrick would be featured in the June edition of PA Borough News Magazine.
 4. **Recreation Department** – Mr. Johnson gave an update on the YPCC Golf Outing that will take place on June 11th at the Ebensburg Country Club, the approval to begin lifeguarding classes and swim club at the CCHS Swimming Pool and the start-up of the spring basketball league.
- N. Media Comments/Questions** – Ms. Baudoux asked the locations of the Jenks Dam and the lower reservoir.
- O. Public Comments** – None.
- P. Executive Session** – Council entered into Executive Session at 7:05 PM to discuss a personnel issue.
- Q. Adjournment** – There being no further business, Mr. Kuhar made a motion to adjourn. Motion passed unanimously.

Meeting Adjourned 7:35 PM

Minutes Recorded by: Danae Koss, Community Development Director