



**Ebensburg Borough Council Meeting**  
**Monday, December 20, 2021**  
**6:30 p.m.**

**Phone: 814-472-8780**  
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**Borough Council**  
Doug Tusing, President  
Dave Kuhar, Vice-President  
Jeffrey Ball  
Cecilia Houser  
Theresa Jacoby  
Scot May  
Michael Owatt  
William Westrick, Jr. Councilor  
**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 9C: Make it a matter of record that Zachary Palko was hired part-time at the Tennis Center at the rate of \$8.50/hour.

Item 11A: Approve the minutes of the November 22, 2021 regular monthly meeting of Borough Council.

Item 11B: Approve the financial statement.

Item 11C: Approve payment of bills.

Recommended Action – Approve the consent agenda.

**2. APPOINTMENTS TO ADDRESS COUNCIL**

**3. CONSIDERATION OF ANY MOTION(S) TO AMEND AGENDA**

**4. MAYOR'S REPORT**

**Item 4A: Report on Police Department**

**5. COUNCIL PRESIDENT COMMENTS**

**6. WATER, WASTEWATER & STORMWATER COMMITTEE**

**Ball & Kuhar**

**Item 6A: Report from Inframark on Wastewater Treatment Plant Operations**

Q&A on the written report submitted and on projects and activities at the wastewater plant.

Recommended Action – No action required.

**Item 6B: Report from Inframark on Water Treatment Plant Operations**

Q&A on the written report submitted and on projects and activities at the water plant.

Recommended Action – No action required.

**7. RECREATION COMMITTEE**

**Jacoby, May & Owatt**

**Item 7A: Dog Park**

The Borough, spearheaded by the Rotary Club, applied for a grant in the amount of \$249,411 for the construction of a dog park near Lake Rowena. Last week the Commonwealth sent a grant offer in the amount of \$112,000. The Rotary is continuing their commitment of fundraising for the remainder of the money required for the construction.

Recommended Action – Approve acceptance of the grant between the Commonwealth of Pennsylvania and the Borough of Ebensburg for a grant in the amount of \$112,000 for the construction of a dog park at Lake Rowena.

**8. STREET COMMITTEE**

**Ball, Houser & Owatt**

**9. ADMINISTRATION COMMITTEE**

**Houser, Jacoby & Kuhar**

\* Item 9C: Part-time Employee

Zachary Palko was hired for part-time work at the Tennis Center.

Recommended Action – Make it a matter of record that Zachary Palco was hired as part-time help at the Tennis Center at the rate of \$8.50/hour.

**10. DIVERSITY COMMITTEE**

**May, Kuhar & Houser**

**11. GENERAL BUSINESS**

\* Item 11A: Minutes of Previous Meeting(s)

The minutes of the November 22, 2021, regular meeting are presented for Council review and approval.

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

\* Item 11B: Financial Statement

The financial statement for November 2021 is presented for approval.

Recommended Action – Approve the November 2021 financial statement.

\* Item 11C: Bills

A list of bills totaling \$819,666.70 is submitted for approval.

Recommended Action – Approve payment of the bills as submitted.

**Item 11D: Resolution #2021-12:** A resolution authorizing and approving Borough officers to sign documents for the PENNVEST Funding.

Recommended Action- Approve Resolution #2021-12 authorizing the Borough of Ebensburg's Officers to execute any and all documents, Agreements, contracts, and/or undertake any and all actions required to be delivered and/or taken by the Borough of Ebensburg and further authorizing any actions by Borough of Ebensburg Officials which are necessary or proper to effectuate the guaranty of the Borough of Ebensburg secured by a lien on its water revenues, which lien shall be subordinate only to the liens that secure the two previous PENNVEST water construction loans (ME #'s 80113, 82201); the guaranty of the Borough of Ebensburg shall also be secured by a pledge of its taxing authority; any other requirements by PENNVEST to effectuate the guaranty by the Borough of Ebensburg; the PENNVEST funding application; funding agreement; the maximum loan amount of \$805,765.00 and the maximum principal forgiveness loan amount of \$1,265,610.00; and directing other necessary and proper action.

**Item 11E: Resolution #2021-13:** A resolution proposing a second amendment to the Agreement of Lease which provides an increase in the lease payment to the Authority. (This increase is reflected in the increased water rates for the Municipal Authority customers.)

Recommended Action-Approve Resolution #2021-13 proposing an amendment to the Agreement of Lease as follows:

a. The Agreement of Lease be and the same is hereby amended to provide for an increase in the annual lease payment from the Borough of Ebensburg to the Ebensburg Municipal Authority prior to the initiation of principal and interest payments on this PENNVEST water construction loan sufficient to cover the Ebensburg Municipal Authority's increased annual debt service as a result of this water construction project.

b. All references in the Agreement of Lease to the "2018 Capital Improvements Program" shall be amended to provide: "both the 2018 Capital Improvements Program and the 2022 Water Construction Project."

**Item 11F: Ordinance #660: An Ordinance that adopts the Guaranty Agreement for the PENNVEST loan.**

PENNVEST has approved a grant of \$1,265,610 and a loan of \$805,765 for the High Street Waterline replacement. The loan is for 20 years, with 1% interest for the first five years and then 1.743% thereafter. It will be necessary for the Borough to guarantee the PENNVEST loan. In accordance with the Unit Debt Act, Council will need to adopt a Guaranty Agreement by Ordinance. The Solicitor has drafted the enabling Ordinance, the required guaranty agreement, promissory note, debt statement, and borrowing base certificate for tentative adoption. The Borough and Authority solicitors will review those documents for compliance. The Solicitor has also compiled a Self-Liquidating Debt Report to be certified by the Authority's Engineer. Those documents are included in the proposed Ordinance.

Recommended Action-Grant tentative approval to Ordinance #660 authorizing a PENNVEST loan guaranty in the amount of \$1,265,610 on behalf of the Ebensburg Municipal Authority the water system improvement project.

**Item 11G: Ordinance #661: Compliance with Unit Debt Act**

For the 2020 and 2021 sidewalk projects, a \$1 million line of credit was secured. It was assumed that at the conclusion of the 2021 project that a principal of \$670,000 would remain. A 5-year loan would then be obtained to pay off that line of credit. In reality, the remaining principal is only \$550,000. Staff has obtained proposals for a 5-year loan and recommends a loan in the amount of \$550,000 from First National Bank for a 5-year period at a fixed rate of 2.39%.

All new debt, regardless of duration, requires Unit Debt Act compliance involving calculation of an updated debt statement and borrowing base certificate and adoption of an Ordinance.

Recommended Action-Grant tentative approval to Ordinance #661, seeking authorization from DCED for new debt, in compliance with the Unit Debt Act.

## 12. DEPARTMENT REPORTS

**Item 12A: Police Department**

Chief Wyland has submitted a written report on the police department's activities during the month.

**Item 12B: Public Works Department**

Public Works Director Jeff Evans has submitted a written report on the public works department's activities during the month.

**Item 12C: Community Development**

Community Development Director Danae Koss has submitted a written report on the community development department's activities during the month.

**Item 12D: Recreation Department**

Recreation Director Dirk Johnson has submitted a written report on the recreation department's activities during the month.

\* Item 12E: Codes Enforcement

A monthly codes enforcement report was forwarded to Council.

\* Item 12F: Ebensburg Municipal Authority

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

\* Item 12G: Ebensburg Planning Commission – No activity

\* Item 12H: Ebensburg Zoning Board

## 13. 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.*

## 14. PUBLIC COMMENTS

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

## 15. EXECUTIVE SESSION (if required – reason to be stated publicly)

## 16. 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.*