

The regular monthly meeting of the Ebensburg Borough Council was called to order on Monday, November 22, 2021 at 6:30 p.m. in the Council Room of the Ebensburg Municipal Building by President, Doug Tusing.

Present: Doug Tusing, President
Dave Kuhar, Vice President
Theres
Scot May
Cecilia Houser
Mike Owatt
Jeff Ball

Absent: Theresa Jacoby
Will Westrick, Junior Councilor

Others: Kelly Cook, Borough Manager
Randy Datsko, Mayor
Blair Pawlowski, Solicitor
Jeff Evans, Public Works Director
Danea Koss, Community Development Director
Dirk Johnson, Recreation Director
Renee Martin-Nagle, Ebensburg Municipal Authority
Robert Miller, Incoming Council Member
Kristen Badoux, The Mountaineer Herald
Katie Smolen, The Tribune Democrat

Audience: 2

A. The Pledge of Allegiance was recited.

B. **Public Comments** – Mr. Ken Cummins, 221 N. Julian Street, voiced concerns regarding the suggestion to delete North Julian Street as a one-way street.

C. **Consent Agenda**

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

1. It is a matter of record that Marley Ratchford and Ian McGrorey were hired part-time at the Tennis Center at the rate of \$8.50/hour.
2. Approve the minutes of the October 25, 2021 regular monthly meeting of Borough Council.
3. Approve the financial statement.
4. Approve payment of bills.

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

E. **Consideration of Any Motion(s) To Amend Agenda** – Mr. Tusing requested a motion to amend tonight's agenda since revisions to the Minimum Municipal Obligation (MMO) had just been received. Ms. Houser made a motion to amend the meeting agenda to include discussion of the MMO. (Owatt) Motion passed unanimously.

- F. **Mayor’s Report** – Mayor Datsko reported that Chief Wyland was unable to attend tonight’s meeting.
- G. **Council President** – Mr. Tusing welcomed Bob Miller, incoming borough council member, and congratulated him on his successful election. He added that he will be sworn in at the January 3rd Borough Reorganization Meeting.

H. **Water/Wastewater Committee**

1. **Report from Inframark on Wastewater Plant Operations**

Mr. Kuhar reported that written reports from Inframark for the wastewater plant were not provided in the packets but were available through the office.

2. **Report from Inframark on Water Treatment Plant Operations**

Mr. Kuhar reported that written reports from Inframark for the water were not included in Council’s packet but were available from the office.

I. **Recreation Committee**

1. Mr. Owatt reported that the Recreation Board proposed the following revised fee schedule, included in Council’s packet, for the Ebensburg Borough Pool for FY 2022. Mr. Owatt made a motion to approve the proposed pool fees for 2022. (Houser) Motion passed unanimously.

2022 Proposed Ebensburg Borough Pool Rates

	Adult (19-54)	Seniors 55+	Children (4-18)	Children Under 3
Walk-in	\$7	\$5	\$5	Free
Multi-Visit Pass (Must purchase minimum of 5)	\$30	\$20	\$20	
Season Pass	\$135	\$110	\$110	
Add-on/person to a season pass	\$40			
Free Admission with Military ID				

J. **Street Committee**

1. **Discuss Julian Street as a One-Way Street**

Ms. Houser reported that last month there was a suggestion made to delete North Julian Street as a one-way street and the consensus of Council was to table this item to the next meeting in order to get feedback from residents. Staff has received three responses; two opposing the idea and one saying it did not matter. Since the suggestion was made, Chief Wyland has changed his position and now would prefer to keep it the same.

The consensus of Council is to keep Julian Street as it is with no changes.

K. Administration Committee

1. Employee Pension Plans

Mr. Kuhar 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. On September 27, 2021, Council adopted MMO calculations for the non-uniformed and uniformed plans. On the afternoon of November 22, 2021, the Borough received revised MMOs. They are revised upon information received in the 2021 Actuarial Valuations. Council may approve the new MMOs prior to the final adoption of the budget.

Mr. Kuhar made a motion to adopt the revised minimum municipal obligation (MMO) calculation for the non-uniformed pension plan in the amount of \$99,638. (Houser) Motion passed unanimously.

Mr. Kuhar made a motion to adopt the minimum municipal obligation (MMO) calculation for the uniformed pension plan in the amount of \$14,696. (Houser) Motion passed unanimously.

2. 2022 Annual Budget

Mr. Kuhar reported that the 2022 Operating Budget calls for revenues of \$6,354,380 and expenditures of \$6,287,745. The general fund budget is balanced with no increase in real estate taxes. This is the 12th consecutive year without a tax increase for general purposes, and the 11th consecutive year without a tax increase for any purpose; the last being in 2010 for the swimming pool debt.

	Revenue	Expenditures	Surplus
General Fund Budget	\$2,186,580	\$2,186,580	\$0
Water Fund Budget	\$1,999,300	\$1,999,300	\$0
Wastewater Fund Budget	\$1,940,000	\$1,873,365	\$66,635
Stormwater Fund Budget	<u>\$ 228,500</u>	<u>\$ 228,500</u>	<u>\$ 0</u>
Total Operating Fund	\$6,354,380	\$6,287,745	\$66,635

The General Fund Budget is increased by 2.2% over last year. The increase is primarily due to higher costs budgeted for healthcare and pensions.

The Water Fund Budget is increased by 10.4% vs. 2021, primarily due to an increase in rates due to incurring debt for a short-term loan to perform system repairs. The Wastewater Fund Budget has experienced a minimal increase.

With the exception of the higher budgeted cost of employee benefits and the increased needs for utility system repairs, expenditures in all funds remain consistent, reflecting our commitment to control expenses while ensuring the continued delivery of services in a cost-effective manner.

The 2022 budget is granted tentative approval at this meeting, advertised for public inspection for a period of no less than ten days, and adopted at the November meeting.

Mr. Kuhar made a motion to grant final approval of the 2022 annual budget. (May) Motion passed unanimously.

2. **Salary Resolution**

Mr. Kuhar reported that a Resolution is adopted each year to establish the wages to be paid to the borough employees. AFSCME and FOP wages increase by 2½% in accordance with labor contracts, and as is historically the case, non-union employees receive the same adjustments as negotiated with AFSCME. Other wages are reviewed and recommended by the administrative committee as part of the budget development process. The 2022 budget reflects the wages as per the proposed Resolution.

Mr. Kuhar made a motion to adopt Resolution #2021-08 establishing wages for 2022. (Houser) Motion passed unanimously.

L. **Diversity Committee** – None.

M. **General Business**

1. **Ebensburg Swimming Pool Rehabilitation**

Ms. Cook shared that staff had sought advice from experts on repairs for the swimming pool. After contacting multiple companies, the borough's engineer secured an onsite visit and proposal from Aquatic Facility Design, which includes comprehensive design services, plans and specifications for the needed rehabilitation of the Ebensburg Pool. Their proposed cost for these services is \$19,000.

Mr. Kuhar made a motion to approve the proposal with Aquatic Facility Design for \$19,000. (Owatt) Motion passed unanimously.

2. **Modification to Agreements with Ebensburg Municipal Authority**

Ms. Cook reported that the Municipal Authority received approval for a grant and a low-interest loan for the High Street Waterline replacement Project. Closing on the loan has been scheduled for March 2022. In preparation for that, certain documents relative to the Borough and the Authority need to be extended or otherwise modified.

A. **Resolution #2021-09**

Mr. Kuhar reported that a Resolution needs to be adopted proposing an Amendment of the Articles of Incorporation of increasing the Ebensburg Municipal Authority's term of existence to a date not exceeding 50 years from the date approval of the Articles of Incorporation.

Mr. Kuhar made a motion to approve Resolution #2021-09 amending the Articles of Incorporation for the Ebensburg Municipal Authority by increasing its term of existence until November 15, 2071. (Houser) Roll call was taken:

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

B. Articles of Amendment

Mr. Kuhar made a motion to approve the Amendment to the Articles of Incorporation that extends the existence of the Ebensburg Municipal Authority to coincide with the term of existence of the Authority. (Houser) Roll call was taken:

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

C. Resolution #2021-10

Mr. Kuhar reported that a Resolution needs to be adopted proposing the amendment to extend the term on the lease between the Borough and the Municipal Authority to coincide with the term of existence of the Authority.

Mr. Kuhar made a motion to approve Resolution #2021-10 amending the lease between the Borough and the Municipal Authority to coincide with the term of existence of the Authority. (Houser) Roll call was taken:

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

D. Amendment to Agreement of Lease

Mr. Kuhar made a motion to approve the Amendment to the Agreement of Lease extending it until November 15, 2071. (Houser) Roll call was taken:

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

3. Borough Fees for Fiscal Year 2022

Ms. Cook reported that each year a Resolution is passed to establish fees for the following year. Staff recommends that fees be maintained at current levels, with the exception of the items listed below.

- A. The Borough Tax Collector has suggested that the fee for providing duplication copies be increased from \$3 to \$5 to effectively cover costs and to be in line with the other taxing bodies.

Mr. Kuhar made a motion to amend the fee for the Tax Collection Duplication to \$5.00. Roll call was taken.

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

- B. The Borough Tax Collector has suggested that the fee for providing Tax Collection Certification be increased from \$10 to \$15 to effectively cover costs and to be in line with other taxing bodies.

Mr. Kuhar made a motion to amend Tax Collection Certification fees to \$15.00. (Owatt)

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

- C. Staff suggests that fees for the Pavilion Rentals be amended to include a refundable deposit if basic rules are not followed (mostly clean-up related). The current fee is \$50.00. Staff also suggests that a refundable deposit of \$25.00, for a total of \$75.00 due at the time of rental.

Mr. Kuhar made a motion to amend the fee for the pavilion rentals to \$50.00, with \$25.00 being refunded if rules are followed. (Houser) Motion passed unanimously.

Mr. Kuhar made a motion to approve Resolution #2021-11, including any change to fees as per the above items. (Houser) Motion passed unanimously.

N. Grants

Ms. Cook reported that the Borough, on behalf of the Rotary Club, applied for a grant with DCED for a dog park in the amount of \$219,000. We have received word that a grant of \$112,000 has been awarded. The Rotary Club will meet to decide on a further course of action.

Mr. Johnson reported that the YPCC received a \$5,500 grant from the Community Foundation of the Alleghenies for the purchase of cross-country skis for rental.

O. Department Report

1. Police Department

Chief Wyland submitted a written report.

2. Public Works Department

Public Works Director Jeff Evans reported that public works had been busy with Christmas decorations.

3. Community Development

Community Development Director Danae Koss reported on the community development department's activities during the month including the upcoming Turkey Trot and Dickens of a Christmas events. She added that Mr. John Kimball had been invited to serve as this year's Grand Marshal and had graciously accepted. Ms. Koss also confirmed that the mural committee had selected the salt garage at Lake Rowena as the location for the mural project to start in the Spring.

4. Recreation Department

Recreation Director Dirk Johnson reported on the recreation department's activities during the month including a recent grant approval to purchase cross-country skis and equipment to be made available for rent at the YPCC. The grant is from the Community Foundation of the Alleghenies and was co-written with Caytlin Lusk from the Cambria County Conservation and Recreation Authority.

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

Q. Public Comments

1. Mr. Ken Cummins, 221 N. Julian Street, suggested using the front-end loader for snow removal on the 200 block of Julian Street.
2. It was noted that next month's meeting will be held on Monday, December 20th.

R. **Adjournment** – There being no further business, Ms. Houser made a motion to adjourn. Motion passed unanimously.

Meeting Adjourned 7:22 PM

Minutes Recorded by: Danae Koss, Community Development Director