

The regular monthly meeting of the Ebensburg Borough Council was called to order on Monday, April 25, 2022 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
Theresa Jacoby
Cecilia Houser
Robert Miller
Mike Owatt
Jeff Ball

Others: Kelly Cook, Borough Manager
Blair Pawlowski, Solicitor
Dirk Johnson, Recreation Director
Randy Datsko, Mayor
Jeff Evans, Public Works Director
Danea Koss, Community Development Director
Amanda Datsko, The Mountaineer Herald
Katie Smolen, The Tribune Democrat
Phil Sutton, Ebensburg Rotary Club

Audience: 1

A. The Pledge of Allegiance was recited.

B. **Public Comments** – None.

C. **Consent Agenda**

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

1. It is a matter of record that Pat Pileski was hired as part-time help the YPCC at the rate of \$8.50/hour.
2. Approve the minutes of the February 28, 2022 and the March 28, 2022 regular monthly meetings of Borough Council.
3. Approve the financial statement for February and March and the quarterly transfers.
4. Approve payment of bills from February and March.

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

E. **Consideration of Any Motion(s) To Amend Agenda** – None.

F. **Mayor's Report** – None.

G. **Council President**

Mr. Tusing reported that Art in Bloom went well, was well attended and it was good to be back in person for this event.

H. **Water/Wastewater Committee**

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

Mr. Kuhar reported that written reports from Inframark for the wastewater plant are available through the office and on the website.

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

Mr. Kuhar reported that written reports from Inframark for the water plant are available from the office and on the website.

I. **Recreation Committee**

1. **Dog Park Project**

Mr. Tusing shared that the Dog Park project that is being undertaken by the Rotary of Club of Ebensburg has been fundraising to obtain the estimated funds needed for the construction of the dog park. He referred to Mr. Phil Sutton who explained that they would like to put the project out to bid, and due to the volatility of the market, the estimates are expected to come in higher than originally projected. Staff will continue to work with Rotary, and recommends that the Rotary and Borough's Recreation Committee meet when updated estimates are obtained to develop a plan to cover any additional costs and to establish overall procedures of how funding would flow.

2. **Trash Receptacles**

Ms. Houser shared that the parks within the Borough need 15 trash receptacles with lids. The receptacles deemed to be the best option by staff are made of recycled material with lids to protect trash from rain and animals. Staff has experience with receptacles and picnic tables made of the same material, and after approximately 25 years, they are still in excellent shape and only require periodic power washing. The cost of 15 receptacles is nearly \$25,000 from the state contract.

Ms. Houser made a motion to approve the purchase of 15 receptacles from the state contract list. (Kuhar) Motion passed unanimously.

J. **Street Committee**

1. **Sidewalk and Curb Replacement Project**

Ms. Houser reported that for several years a running list of areas from older sidewalk projects in need of concrete repairs or replacement has been maintained. There are also areas of the borough that were not part of the previous projects that require curbing to be replaced or installed for stormwater purposes. Specifically, a long stretch of new curbing on E. Ogle and S. Poplar will prevent stormwater from draining into the East Ward Playground. Also, some areas on N. Beech Street and S. Julian Street also require curbing as recommended by the Municipal Authority. The total cost estimate for this project is \$40,000, which will be paid primarily using stormwater funds.

Ms. Houser made a motion to approve the sidewalk and curb replacement project to advertise for bids. (Ball) Motion passed unanimously.

2. 2022 Street Paving Project

Ms. Houser reported that the areas in need of paving for the 2022 project include the areas of the 2021 sidewalk project that were excluded last year due to work by the gas company (Spruce, Horner, Belmont) as well as areas of Beech Street and Julian, Helen and Charles Streets. In addition, the estimated cost for this project is \$250,000 which will be paid primarily using the Borough’s Liquid Fuels allocation.

Ms. Houser made a motion to approve the 2022 paving project to advertise for bids. (Owatt)
 Motion passed unanimously.

Mr. Miller asked if there was any recourse for areas where the concrete has been eaten away by salt.

K. Administration Committee

1. Summer Hires

Ms. Jacoby reported that the following applicants were hired for summer employment.

Summer Public Works

Jestin Poruban	Lilly, PA	1 st yr.
Brock Martin	Ebensburg, PA	1 st yr.
Jason Bacho	Northern Cambria, PA	1 st yr.
Aaron Caplea	Johnstown, PA	1 st yr.

Swimming Pool Manager

Nolan Johnson	East Highland Avenue	7 th yr.
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Co-Head Lifeguards

Abbey O’Brien	North Spruce Street	4 th yr.
Karson Johnson	East Highland Avenue	4 th yr.

Lifeguards

Jaylee Sikora	Lou’s Road	5 th yr.
Jewel Sikora	Lou’s Road	2 nd yr.
Elizabeth Bopp	Winterset Road	5 th yr.
Tina Hildebrand	BelAir Road	5 th yr.
Tessa Novotny	Sylvan Glen Road	4 th yr.
Anna Dill	West Crawford Street	3 rd yr.
Loralyn Simmers	Vetera Road	3 rd yr.

The Borough normally has more than enough applicants to fill the needed positions for summer work. In fact, we often need to turn some applicants away. This year, however, applications are lagging way behind, which is not surprising, given the current shortage of workers in many businesses and industries across the economy. The fact that the demand for summer workers far outweighs the supply may require that we adjust our wage structure to attract an acceptable level of applicants to perform the tasks necessary to maintain Borough facilities at desired levels. In that regard, Council held an Executive Session to discuss this issue.

It is a matter of record that the persons listed above will be hired to the respective positions in public works, pool manager, head lifeguards, and lifeguards at rates to be determined based on discussion in Executive Session.

2. Public Works Hiring

Ms. Jacoby reported that interviews to fill the two vacancies within Public Works will continue. The acceptance of applications will continue until suitable applicants are found and the positions are filled.

L. Diversity Committee – None.

M. General Business

1. Backhoe

Ms. Jacoby reported that it is necessary to replace the 2008 backhoe. The purchase is included in the 2022 capital budget. The current backhoe will be advertised for sale to the highest bidder.

Ms. Jacoby made a motion to approve the purchase of a 2022 Case backhoe from Groff Tractor & Equipment from the State bid list in the amount of \$110,800. (Owatt) Motion passed unanimously.

2. Appointment to the Municipal Authority

Ms. Jacoby reported that Mr. Randy Seymour has submitted a letter of interest to be appointed to the Authority to fill a current vacancy.

Ms. Jacoby made a motion to approve the appointment of Randy Seymour to the Municipal Authority for a nominal 5-year term, commencing April 2022 and ending December 31, 2026. (Kuhar) Motion passed unanimously.

3. Resolution #2022-04: A resolution authorizing and approving Borough officers to sign documents for the PENNVEST funding.

Ms. Houser made a motion to approve Resolution #2022-04 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 \$1,505,765.00 and the maximum principal forgiveness loan amount of \$1,265,610.00; and directing other necessary and proper action. (Miller) Motion passed unanimously.

4. Resolution #2022-05: A resolution authorizing and approving the Guaranty Agreement.

Ms. Houser made a motion to approve Resolution # 2022-05, authorizing and approving the Guaranty Agreement and authorizing and approving Ebensburg Borough officers to sign any and all necessary and related documents, and to take any and all required and appropriate related action, and further authorizing any actions by authority officials which are necessary or proper to effectuating the Pennsylvania Infrastructure Investment Authority (PENNVEST) Guaranty Agreement,, funding application and agreement, and loan and principal forgiveness loan award and directing other necessary and proper action. (Miller) Motion passed unanimously.

5. **Resolution #2022-06:** A resolution proposing an amendment to the Agreement of Lease

Ms. Houser made a motion to approve Resolution # 2022-06 amending the Agreement of Lease to provide for an increase in the annual lease payment from the Borough of Ebensburg to 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. Also 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." (Miller) Motion passed unanimously

6. **Resolution #2022-07:** A resolution to be submitted to the county for aid.

Ms. Houser made a motion to approve Resolution # 2022-07 an application for county aid from the County Liquid Fuels tax fund in the amount of \$10,000. (Kuhar) Motion passed unanimously.

N. **Department Reports**

1. **Police Department**

Chief Wyland reported on the police department's activities during the month including a bike safety push now that the weather is getting nicer and adding more patrols to increase crosswalk safety.

2. **Public Works Department**

Public Works Director Jeff Evans reported on the public works department's activities during the month including cleaning out the storage tanks and cleaning the streets.

3. **Community Development**

Community Development Director Danae Koss has reported on last month's activities including Art in Bloom and the upcoming Memorial Day Parade & Ceremony. She also gave a list of updates on new business openings and expansions. Lastly, she informed Council that the Dog Park Project was recently awarded a \$4k grant from the Community Foundation of the Alleghenies and gave a final reminder on the Spring Clean Up Days on May 12th & 13th.

4. Recreation Department

Recreation Director Dirk Johnson reported on activities including getting the bikes out of storage, getting the lifeguards hired for the year, organizing an adult summer softball league and continuing with Bingo at the YPCC with the next one scheduled for May 13th.

5. Ebensburg Planning Commission

Log Merger, 505 Belmont Avenue

Ms. Houser reported that a merger of two parcels, 505 Belmont Avenue and 726 West Milton Street, is proposed to be merged. The applicant at 505 Belmont purchased a house and parcel at 726 West Milton. The structure on Milton has been razed and the applicant wishes to combine the lots. The matter was reviewed by the Planning Commission on March 3rd and they have recommended approval. The applicant is seeking final approval by Council.

Ms. Houser made a motion to approve the log merger of 505 Belmont Avenue. (Owatt) Motion passed unanimously.

Dog Park, 932 Rowena Drive

Ms. Jacoby reported that a site development plan was submitted and reviewed by the Planning Commission on April 7th and they have recommended approval. The Zoning Hearing Board met on 3-32-2022 and approved a variance for the construction of a fence that encroaches on the neighboring property. An easement was previously with the T-5 Properties. The applicant (the Borough) is seeking approval by Council.

Ms. Jacoby made a motion to approve the Development Plan for the Dog Park. (Kuhar) Motion passed unanimously.

O. **Media Comments/Questions** - None.

P. **Public Comments** – None.

Q. **Executive Session** – Council entered into executive session at 7:10 pm to discuss current wage structures for part-time and full-time employees and came out at 7:41 pm.

R. **Part-time Wages** – After exiting the executive session and re-opening the public meeting, Ms. Jacoby made a motion to increase wages for part-time summer workers and supervisors by \$2.00 per hour (Owatt). Motion passed unanimously. An updated Wage Resolution will be presented for formal Council approval at the May meeting.

S. **Adjournment** – There being no further business, Mr. Kuhar made a motion to adjourn. (Jacoby) Motion passed unanimously.

Meeting Adjourned 7:41 PM

Minutes Recorded by: Danae Koss, Community Development Director