

The regular monthly meeting of the Ebensburg Borough Council was called to order on Monday, July 25, 2022 at 6:34 p.m. in the Council Room of the Ebensburg Municipal Building by Vice President, Cecilia Houser.

Present: Cecilia Houser, Vice President  
Dave Kuhar  
Robert Miller  
Mike Owatt  
Jeff Ball

Absent: Doug Tusing, President  
Theresa Jacoby

Others: Kelly Cook, Borough Manager  
Blair Pawlowski, Solicitor  
Dirk Johnson, Recreation Director  
Randy Datsko, Mayor  
Danea Koss, Community Development Director  
Josh Surkovich, Public Works Director  
Luke Byrne, Inframark  
Amanda Datsko, The Mountaineer Herald  
Katie Smolen, The Tribune Democrat  
Dave Lester, Nathan's Divide  
Jack Schaffer, Nathan's Divide

Audience: 2

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. (Miller)  
Motion passed unanimously.

1. Approve report of Inframark for the Wastewater Treatment Plant Operations.
2. Approve report of the Inframark for the Water Treatment Plant Operations.
3. Approve the minutes of the June 27, 2022 regular monthly meetings of Borough Council.
4. Approve the financial statement for June and the quarterly statement.
5. Approve payment of bills for July.

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

E. **Mayor's Report** – None.

F. **Council President** – None.

G. **Water/Wastewater Committee**

1. **High Street Water Line Replacement Project**

Mr. Kuhar reported that work began on Monday, June 20<sup>th</sup> and substantial completion is to be within 120 calendar days from the date of commencement, putting that date at September 29, 2022. Final completion is estimated by November 28, 2022. W.A. Petrakis Contracting is progressing in a timely manner without any current issues to report at this time. After the main line is in place all the way through town, the contractor will come back through once again to excavate and install the lateral connections.

#### H. Recreation Committee

1. **Rotary Dog Park Meeting** – Mr. Owatt reported that the Borough applied for a \$30,000 Mini-Grant through the Southern Alleghenies Planning and Development Commission. Staff will be notified of the status of the grant at the end of the month. Securing this grant would significantly close the shortfall of funds needed to proceed with this project. He added that a meeting between the Rotary and Recreation Committee would be scheduled to discuss the administration of the dog park construction once the necessary parties gather the required information.

#### I. Street Committee

1. **2022 Street Paving Project**

Ms. Houser reported that the paving project was awarded to Grannas Brothers in the amount of \$269,988.29. They were issued a letter to proceed and are expected to start in September after the County Fair.

#### J. Administration Committee

1. **AFSCME Contract**

Mr. Kuhar reported that negotiations with the American Federation of State, County and Municipal Employees have commenced for the current contract expiring on December 31, 2022. The committees have met three times and negotiations are proceeding along.

#### K. Diversity Committee – None.

#### L. General Business

1. **Sheetz Applying for Liquor License**

Ms. Cook reported that Sheetz has applied for a request for a hearing for an inter-municipal transfer of a restaurant Liquor License. The hearing has been scheduled for Monday, August 22, 2022 at 5:00 pm.

2. **Resolution #2022-10**

Ms. Cook reported that the Borough received a request from representatives from Nathan's Divide to serve as the applicant for a paving and improvement project to the North Center Street access roadway, boat launch and several parking areas for the upper reservoir. Council was provided with a draft of Resolution 2022-10, which would do the following; 1) authorize the application for a \$1,875,996 grant through the Multimodal Transportation Grant, and 2) authorize appropriate Borough officers to execute any and all documents required to secure such grant.

The Borough cannot and should not authorize submission of a grant for a project on Municipal Authority property unless the Authority is in full agreement to proceed with said project, and unless both the Authority and Nathan's Divide have made a firm commitment to promptly revise/update the Lease and Licensing Agreement in a manner that is necessary to allow for completion of the project.

Furthermore, the Borough was advised by Nathan's Divide that the required match for this grant could or would be waived. In the Multimodal guidelines for funding, it states a municipality receiving financial assistance through the CFA Multimodal Transportation Fund may not be required to provide a local match. It does not say it will not be required; therefore, Council should be aware that there is no guarantee that that the local match for this grant would be waived.

After further review by staff, it was determined that the proposed project is not consistent with the current Lease and Licensing Agreement between the Authority and Nathan's Divide. As a result, the lease was discussed at the Authority meeting prior to the Council meeting, in which the Authority did not take any formal action. Therefore, at this time, staff does not recommend passing.

**M. Department Report**

1. **Police Department** - Chief Wyland reported on last month's activities including Wheels & Wings, a 5k at High Street Body Shop, new uniforms, parking ticket box refurbishment and a new cruiser.
2. **Public Works Department** – Mr. Surkovich reported on recent activities including the water line replacement project and landscaping at the new mural. Mr. Miller asked Mr. Surkovich about an outstanding sewer issue on Marian Street.
3. **Community Development** – Ms. Koss reported on recent new business opening activities, upcoming events during Homecoming weekend, closing out the Façade Improvement Project Grant contract and receiving national accreditation for 2022 through the National Main Street Center.
4. **Recreation Department**  
Recreation Director Dirk Johnson submitted a report on activities from last month including postponing the gym floor refurbishment project to next year.

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

**O. Public Comments** – Mr. Dave Lester, Nathan's Divide, asked for clarification on why the Resolution wasn't approved and how to proceed with his request to the Municipal Authority.

**Q. Adjournment** – There being no further business, Ms. Kuhar made a motion to adjourn. (Miller) Motion passed unanimously.

Meeting Adjourned 6:48 PM  
Minutes Recorded by: Danae Koss, Community Development Director