

The regular monthly meeting of the Ebensburg Borough Council was called to order on Monday, October 24, 2022 at 6:30 p.m. in the Council Room of the Ebensburg Municipal Building by President, Doug Tusing.

Present: Doug Tusing, President  
Cecilia Houser, Vice President  
Robert Miller  
Mike Owatt  
Jeff Ball  
Theresa Jacoby  
Phone-in: Dave Kuhar  
Others: Kelly Cook, Borough Manager  
Blair Pawlowski, Solicitor  
Randy Datsko, Mayor  
Terry Wyland, Chief of Police  
Danea Koss, Community Development Director  
Dirk Johnson, Recreation Director  
Lauren Hagens, The Mountaineer Herald  
Katie Smolen, The Tribune Democrat

Audience: 2

A. The Pledge of Allegiance was recited.

B. **Public Comments** – None.

C. **Consent Agenda**

Ms. Houser made a motion to approve the consent agenda containing the following items. (Owatt)  
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 September 26, 2022 regular monthly meetings of Borough Council.
4. Approve the financial statement for September.
5. Approve payment of bills for October.
6. It is a matter of record that Jason Bacho was hired as a full-time public works employee at the rate of \$17.51 per hour.

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

E. **Mayor's Report** – Mayor Datsko shared that leaf pick-up has begun and reminded residents to bring leaves to the curb and not onto the street.

F. **Council President** – Mr. Tusing added to Mayor Datsko's comments by explaining that leaves placed in the street can clog storm drains.

G. **Water/Wastewater Committee**

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

Mr. Miller reported that Inframark's written report was submitted regarding operations, projects and activities at the wastewater plant for Council review.

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

Mr. Miller reported that Inframark's written report was submitted regarding operations, projects and activities at the water plant for Council review.

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

Mr. Miller reported that work began on Monday, June 20<sup>th</sup> and substantial completion occurred on September 29, 2022. Final completion is estimated by November 28, 2022. The installation of water main is complete. W.A. Petrakis Contracting has completed the connection of water service lateral lines for each facility along the project corridor that required a new lateral and restoration and final paving will commence.

Mr. Miller reported that the Municipal Authority had just approved at their meeting to delay the final paving until spring of next year, at W.A. Petrakis' recommendation, contingent upon Pennvest approval.

**H. Recreation Committee**

**1. Rotary Dog Park Meeting**

Ms. Jacoby reported that a meeting between the Rotary and the Recreation Committee occurred on September 28<sup>th</sup> to discuss the administration of the dog park construction and project administration. Both parties agreed that all money will be transferred to the Borough from the Rotary prior to the award of the bid. The Borough will be responsible for ensuring compliance and administering the grants, but the Rotary will assist as much as possible. Bid documents are being prepared, with construction anticipated in the spring.

**2. Pier at Lake Rowena**

Ms. Jacoby reported that the handicap accessible pier at Lake Rowena has reached the end of its functional life and needs to be rebuilt. The Main Street Partnership graciously offered to participate financially in the project. The total cost to the borough will be approximately \$35,000 with the partnership contributing approximately \$15,000 towards that. Funds will be included in the 2023 budget for this project.

Ms. Jacoby shared that there may be grant funds available for this type of project through the PA DCNR, and those possibilities will be further explored.

**I. Street Committee**

**1. 2022 Street Paving Project**

Mr. Owatt reported that the paving project was awarded to Grannas Brothers in the amount of \$269,988.29. Grannas Brothers completed the paving work on October 5, 2022.

**J. Administration Committee**

**1. AFSCME Contract**

Ms. Houser 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 numerous times and negotiations are nearing completion with a discussion of a contract to in an executive session.

**2. 2022 Budget Preparation**

Mr. Houser reported that the manager is preparing preliminary budget numbers. The Administration Committee met on October 18, 2022 to compile a tentative budget for Council's review at the November meeting. Final adoption is expected at the December Council meeting.

**K. Diversity Committee – None.**

**L. General Business**

**1. Ordinance #664 regarding the revised Fireworks Law**

Ms. Cook reported that the Borough has the right to regulate fireworks within the borough and this ordinance provides a consumer fireworks permit by exception process. The exceptions are as follows:

- (a) that no one under the age of 18 will purchase, possess or use Consumer Fireworks;
- (b) that Consumer Fireworks will not be used on private property or on public property, including, but not limited to, streets, parking lots, sidewalks and parks, without the express permission of the owner or entity that controls the property;
- (c) that the Consumer Fireworks will not be used within, directed at or directed from a “vehicle” or “building” as those two terms are defined in the Law;
- (d) that the Consumer Fireworks will not be directed at another person;
- (e) that the Consumer Fireworks will not be used by a person who is under the influence of alcohol, a controlled substance or another drug; and
- (f) that the Consumer Fireworks will not be used within 150 feet of a building or vehicle, whether or not the building or vehicle is owned by the user of the Consumer Fireworks

Ms. Houser made a motion to grant tentative approval to Ordinance #664 establishing procedures and requirements pertaining to consumer fireworks permits. (Miller) Roll call was taken:

Houser-Yes	Tusing-Yes	Ball-Yes	Miller-Yes
Jacoby-No	Owatt-No	Kuhar-Yes	

The consensus of Council was to allow Mr. Kuhar's telephone vote to count.

Motion passed, 5 votes to 2.

**M. Department Report**

- 1. Police Department** - Chief Wyland reported on recent activities including updates on the annual PotatoFest, upcoming first aid and CPR trainings and officer qualifications.

2. **Public Works Department** – Mr. Surkovich reported on recent activities including leaf pick-up, decorations, salt order and storage and catching up from the water line project.

3. **Community Development** – Ms. Koss reported on recent activities including Volunteer Night and the Fall Foliage Ride, and upcoming events and projects like Small Business Saturday and Dickens of a Christmas. She added the EARC's Ebensburg Turkey Trot and a Wreaths Across America event will also be hosted in town.

4. **Recreation Department** – Mr. Johnson reported on recent activities including a new Pickleball clinic.

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

O. **Public Comments** – None.

P. **Executive Session** – Council entered into executive session at 7:04 PM to discuss collective bargaining and other personnel issues. Executive session ended at 8:21 PM.

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

Meeting Adjourned 8:22 PM

Minutes Recorded by: Danae Koss, Community Development Director