

The regular monthly meeting of the Ebensburg Borough Council was called to order on Monday, January 23, 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, via phone
Robert Miller
Mike Owatt
Jeff Ball
Dave Kuhar
Theresa Jacoby

Others: Kelly Cook, Borough Manager
Terry Wyland, Chief of Police
Danea Koss, Community Development Director
Dirk Johnson, Recreation Director
Josh Surkovich, Public Works Director
Phil Sutton, Ebensburg Rotary Club
Luke Byrne, Inframark
Katie Smolen, The Tribune Democrat

Absent: Randy Datsko, Mayor
Blair Pawlowksi, Solicitor

Audience: 3

A. The Pledge of Allegiance was recited.

B. **Public Comments** – None.

C. **Consent Agenda**

Ms. Jacoby made a motion to approve the consent agenda containing the following items. (Kuhar)
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 December 19, 2022 regular monthly meetings of Borough Council.
4. Approve the financial statement for December and quarterly transfers.
5. Approve payment of bills for January.

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

E. **Mayor's Report** – None.

F. **Council President** – Mr. Tusing shared that he had received a letter from Dauntless Fire Company updating Council on their planned 2023 activities. He added that, in addition to their service here in Ebensburg, they are often called in to provide support to surrounding communities. He expressed thanks and appreciation for all that they do.

G. Water/Wastewater Committee

1. Report from Inframark on Wastewater Treatment Plant Operations

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

H. Recreation Committee – None.

I. Street Committee – None.

J. Administration Committee

1. Consider an Amendment to the Manager's Agreement regarding residency.

Mr. Kuhar reported that the current manager's agreement required that residency, within a 25-mile radius, be established within one year of employment. Due to the current housing market, the manager was unable to meet this deadline and required a one-year extension, which was granted last January. Despite extensive effort, the manager has been unable to comply with the residency requirement and is requesting another extension. He added that this issue will be discussed in an executive session prior to the end of tonight's meeting.

K. Diversity Committee – None.

L. General Business

1. Dog Park

Ms. Cook reported that the Rotary has secured the necessary funding for a total estimated project cost of \$245,000 for the construction of the dog park at 962 Rowena Drive. The specifications are completed to put the project out for bid this month and to receive the bids for award next month. Prior to the issuance of an award, the Rotary will be turning over the raised money to the Borough. The Borough staff will oversee the project, submit the necessary paperwork to different funding agencies for reimbursement and pay the bills.

Mr. Owatt made a motion to put the dog park project out for bid this month. (Miller) Motion passed unanimously.

2. Borough's Contribution to the Dog Park Project

Ms. Cook reported that the Borough made a commitment to install the necessary drainage prior to the construction, which was not yet done. The Borough previously anticipated the cost of the pipe out of capital construction with the labor in-house. The estimated cost for the installation of the drainage is \$37,900.00.

Ms. Jacoby made a motion to approve an expenditure out of the borough's capital budget of \$37,900.00 for drainage at the new Dog Park. (Miller) Motion passed unanimously.

3. Dog Control

Ms. Cook reported that the Cambria County Humane Society has asked the borough to consider entering into an agreement with them regarding dog control. In the past, the Borough had designated an individual to serve as the Dog Control Officer (most recently, it was a part-time officer). For the last several years, a Dog Control Officer was not specifically appointed, and any dog-related complaints were handled directly by the Police Department. Generally, the Borough receives only a handful of such complaints each year.

Mr. Miller made a motion to not enter into an agreement with the Cambria County Humane Society to take over the borough's dog control. (Ball) Motion passed unanimously.

M. Department Report

1. **Police Department** - Chief Wyland reported that there were quite a few complaints with regard to the recent enforcement of the parking against traffic violation, but it is working and people seem to be complying.
2. **Public Works Department** – Mr. Surkovich reported that several water leaks have been discovered and fixed including one at West & Horner Street, one in front of the Post Office and several others.
3. **Community Development** – Ms. Koss reported on upcoming events including WinterFest on February 4th and Art in Bloom on April 29th & 30th. She added that Main Street Membership renewals are coming in and now is a great time for any local businesses to join, as membership is free for the first year for new members.
4. **Recreation Department** – Mr. Johnson reported that he is working with Portage Ambulance Association to try to get a grant towards the purchase of AEDs for the ballfields and the Tennis Center.

N. Media Comments/Questions – Ms. Katie Smolen, The Tribune Democrat, asked if the \$37,900.00 that the borough is paying toward the Dog Park Project is part of the bid.

O. Public Comments

1. Mr. Bill Link, N. Spruce Street, asked when the borough's webcams will be back up and running and what the impact on the Borough's liability insurance would be for the Dog Park.
2. Mr. Mike Murphy, N. Spruce Street, asked about the status of an ongoing water issue on South Marion Street.
3. Mr. Tom Bortel, E. Sample Street, questioned Council's ability to award funds to the Dog Park Project prior to bids being received.

P. Executive Session – Council entered into executive session at 6:57 p.m. and subsequently re-opened the public portion of the meeting at 7:16 p.m. Upon exiting Executive Session, Ms. Houser made a motion to approve an additional one-year extension for the borough manager to comply with the residency requirement. (Jacoby)

Roll call was taken:

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

Motion passed 5-2

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

Meeting Adjourned 7:18 PM

Minutes Recorded by: Danae Koss, Community Development Director