



Ebensburg Borough Council Meeting
Monday, May 22, 2023
6:30 p.m.

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Borough Council
Doug Tusing, President
Cecilia Houser, Vice-President
Jeffrey Ball
Theresa Jacoby
Dave Kuhar
Robert Miller
Michael Owatt
Mayor
Randy Datsko

AGENDA

CALL TO ORDER & PLEDGE OF ALLEGIANCE

PUBLIC COMMENTS

Members of the public are invited to comment at this time on any item appearing on the agenda.

1. CONSENT AGENDA

All items listed on the Consent Agenda are considered to be routine and will be acted upon by a single motion. There will be no separate discussion of these items unless members of the Council request specific items to be removed for separate action.

- Item 6D: Approve report of Inframark for the Wastewater Treatment Plant Operations.
- Item 6E: Approve report of Inframark for the Water Treatment Plant Operations.
- Item 11D: Approve the minutes of the April 24, 2023 regular monthly meeting and the May 8, 2023 special meeting of Borough Council.
- Item 11E: Approve the financial statement for April.
- Item 11F: Approve payment of bills for May.

Recommended Action – Approve the consent agenda.

2. APPOINTMENTS TO ADDRESS COUNCIL

3. CONSIDERATION OF ANY MOTION(S) TO AMEND AGENDA

4. MAYOR'S REPORT

Item 4A: Report on Police Department

5. COUNCIL PRESIDENT COMMENTS

6. WATER, WASTEWATER & STORMWATER COMMITTEE

Ball, Kuhar & Miller

Item 6A: Ordinance #666: An Ordinance for compliance with the Unit Debt Act

Recommended Action: Rescind the final approval of Ordinance 666 from the April 24, 2023 regular meeting due to lack of proper advertising.

Item 6B: Ordinance #666: An Ordinance for compliance with the Unit Debt Act

Recommended Action: Grant final approval to Ordinance #666 determining the Borough to incur lease rental debt under the Pennsylvania Local Government Unit Debt Act, by its guaranty of a loan in the amount of \$622,000.

Item 6C: Water Project - Lead and Copper Rule

The Municipal Authority has initiated the design phase of a water line replacement project. Funding requirements have already been updated to include elements of the Lead and Copper Rule. In order to proceed expeditiously with the procurement of funds for this project, residents and property owners within the project area have received letters requesting them to provide information and photos of their incoming service lines. Council is urging all residents who received notice in the mail to please complete it and return to us as soon as possible.

Recommended Action- No action required at this time.

* Item 6D: Report from Inframark on Wastewater Treatment Plant Operations

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

Recommended Action – Accept and approve report.

*Item 6E: Report from Inframark on Water Treatment Plant Operations

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

Recommended Action – Accept and approve report.

7. RECREATION COMMITTEE

Jacoby, Miller & Owatt

8. STREET COMMITTEE

Ball, Houser & Owatt

Item 8A: High Street Waterline Project Paving Repairs

Due to continued cold temperatures, final paving repairs for last year's waterline project did not start until May 17th. The contractor is expected to complete the work by May 24th, weather permitting.

Recommended Action – No action is required.

Item 8B: 2023 Street Paving Project

Bids were opened on May 18, 2023 at noon. The Borough received two bids; all were accompanied with the required bid bond. The estimated cost for the project was \$185,580 and sufficient funds are available in the 2023 budget to complete the work.

Quaker Sales Corporation	\$183,968.00
New Enterprise Stone & Lime	\$175,572.30

Recommended Action – Award the 2023 Paving Project to the lowest bidder, New Enterprise Stone & Lime Co, Inc. for a total of \$175,572.00.

9. ADMINISTRATION COMMITTEE

Houser, Jacoby & Kuhar

Item 9A: Police Chief Retirement

Long-time Chief of Police, Terry Wyland, has formally announced his retirement effective July 1, 2023. The position has been posted for receipt of applications.

Recommended Action – No action required at this time.

Item 9B: Police Memorandum of Understanding

The current police contract states that the police chief and assistant chief are required to live within the Borough. Both parties have agreed to remove this clause from the contract.

Recommended Action – Approve the MOA with the Ebensburg Police Officers to amend the language requiring residency of the Chief and Assistant Chief. The residency of the Police Chief will be removed with all officers hired after November 2009 required to reside within 15 air miles of the Borough.

10. DIVERSITY COMMITTEE

Kuhar & Houser

11. GENERAL BUSINESS

Item 11A: West Chester Amicus Brief Participation

As with Ebensburg, West Chester, PA has an Ordinance that sets a stormwater fee for all parcels in the municipality. Currently West Chester is in appeal to the Pennsylvania Supreme Court, as a lower court has ruled that the fee was a tax and therefore exemption should be granted to the Commonwealth and related entities. Staff is requesting that Council consider signing on to the brief in support of West Chester. In doing so, we would not actually be participating in the appeal, and there is no financial or legal obligation to the Borough.

Recommended Action- Dependent upon discussion in Executive Session.

Item 11B: Sale of Borough Equipment. Council approved the sale of various equipment which staff subsequently advertised for sale. Numerous bids were received through Municibid. High bids are as follows:

LeeBoy Roller for \$3,010.00 to Justin DoRego
Case Backhoe for \$25,900 to Luke Byrne
Mower Deck for \$429 to Willian Colbath
2011 Dodge Ram for \$8,600 to Tanner Walter
Northstar Skid Sprayer for \$2,285 to Anthony Vega

Recommended Action- Approve of the sale of the items listed above to the highest bidders for a total of \$40,224.00.

Item 11C: Resolution #2023-03

Determining the value of various equipment previously used by the Police to be in excess of \$1,000 and authorizing for the advertisement or sale of property.

Recommended Action – Approve Resolution #2023-03 determining value of a 2015 Ford Explorer to be in excess of \$1,000 and authorizing for advertisement or sale.

* **Item 11D: Minutes of Previous Meeting(s)**
The minutes of the April 2023 regular meeting and May 8, 2023 Special Meeting are presented for Council review and approval.

Recommended Action – Approve the minutes of the previous meeting.

* **Item 11E: Financial Statement**
The financial statement for April 2023 is presented for approval, as well as the 1st quarter transfers.

Recommended Action – Approve the April 2023 financial statement and

* **Item 11F: Bills**
A list of bills totaling \$493,095.14 for May 2023 is submitted for approval.

Recommended Action – Approve payment of the bills as submitted.

12. DEPARTMENT REPORTS

Item 12A: Police Department

Chief Wyland has submitted a written report on the police department's activities during the month.

Item 12B: Public Works Department

Public Works Director Josh Surkovich has submitted a written report on the public works department's activities during the month.

Item 12C: Community Development

Community Development Director Danae Koss has submitted a written report on the community development department's activities during the month.

Item 12D: Recreation Department

Recreation Director Dirk Johnson has submitted a written report on the recreation department's activities during the month.

* Item 12E: Codes Enforcement

A monthly codes enforcement report was forwarded to Council.

* Item 12F: Ebensburg Municipal Authority

A copy of the minutes of the last municipal authority meeting is included in Council's packet.

* Item 12G: Ebensburg Planning Commission- No activity

* Item 12H: Ebensburg Zoning Board – No activity

13. MEDIA COMMENTS/QUESTIONS

Representatives of the media are invited to comment and ask questions at this time on any issues, whether or not on the agenda.

14. PUBLIC COMMENTS

Members of the public are invited to comment at this time on any issues, whether or not on the agenda.

15. EXECUTIVE SESSION – Council will meet to discuss legal and personnel matters.

16. ADJOURNMENT

Copies of all staff reports and documents subject to disclosure that relate to any item of business referred to on the agenda are available for public inspection the Thursday before each regularly scheduled meeting at the Borough office, located at 300 West High Street, Ebensburg, Pa. Any documents subject to disclosure that are provided to members of the Borough Council regarding any item on this agenda are available for public inspection at the Borough office or at www.ebensburgpa.com.

In accordance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, please contact the Borough office (814) 472-8780 or eburg@ebensburgpa.com. Notification 48-hours before the meeting will enable the Borough to make reasonable arrangements to ensure accessibility to this meeting.