

The regular monthly meeting of the Ebensburg Borough Council was called to order on Monday, June 26, 2023 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  
Jeff Ball  
Theresa Jacoby  
Dave Kuhar  
Bob Miller  
Mike Owatt

Others: Kelly Cook, Borough Manager  
Randy Datsko, Mayor  
Terry Wyland, Chief of Police  
Heath Long, Solicitor  
Luke Byrne, Inframark  
Breanne Berkebile, The Mountaineer Journal

Audience: 5

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. (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 May 22, 2023 regular monthly meeting of Borough Council.
4. Approve the financial statement for May.
5. Approve payment of bills for June.

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

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

F. **Mayor's Report** –Mayor Datsko commended chief Wyland for his years of service. Mayor Datsko also wanted to remind the public that yard/garage sale signs are not to be attached to any utility or borough poles.

G. **Council President Comments** - Mr. Tusing congratulated and acknowledge Chief Wyland for his years of service at the borough.

H. **Water/Wastewater Committee**

1. Consider a Retainer Agreement for Electrical Needs

The Borough calls electrical contractors numerous times throughout the year for emergency and non-emergency calls. It is sometimes difficult to obtain an electrician, especially if the call is during non-business hours. A lot of these calls are related to the water and wastewater facilities, and because of this Inframark solicited proposals from electrical companies to supply the Borough with reduced rates with a guaranteed response time of one hour. The proposed contract is relevant to all services of the Borough. Numerous contractors were contacted but only one proposal was received. Some contractors stated they did not have the manpower and/or equipment to meet the response time. Other contractors could not meet the one-hour response time.

Mr. Kuhar made a motion to approve an agreement with Dodson Electric in which they guarantee their services within one hour of the initial call with the rates outlined on the proposal plus a retainer of \$150 per month with a one year term. (Houser) Motion passed unanimously.

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

Mr. Kuhar reminded everyone that Inframark reports are online.  
Report was accepted and approved as part of the consent agenda.

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

Report was accepted and approved as part of the consent agenda.

**I. Recreation Committee**

**1. Dog Park Project, Contractor Payment Request #2, #3 and #4**

Ms. Jacoby made a motion to approve the payment request of Straw Construction for payment #2 in the amount of 72,980.83, as reviewed and accepted by the Borough Engineer, and approve payment #3 in the amount of 95,377.45 and payment #4 in the amount of \$26,403.90, contingent upon the Borough Engineer's review and acceptance. (Owatt) Motion passed unanimously.

**J. Street Committee**

**1. High Street Waterline Project Paving Repairs**

The work has been completed and outstanding items are being addressed.

**2. 2023 Street Paving Project**

Bids were awarded to New Enterprise Corporation in the amount of \$175,572.30 on May 22, 2023. The Borough has not received an estimated start date as of this time.

**3. Municipal Parking Lot**

A letter was received requesting the monthly rent of the parking lot to increase from \$1,100 to \$2,000 a month. This would take the cost to \$24,000 a year, which significantly exceeds the revenue taken in from this lot. Revenues received from this lot in the past three years are as follows:

2020 - \$8,553.59 (affected by Covid business shutdowns)  
2021 - \$7,524.97 (partially affected by Covid)  
2022 - \$8,023.77

While the Borough would prefer to retain all parking spaces currently available in the center of town, it is staff's opinion that adequate parking exists at the other lots and along the street. A significant amount of taxpayer money is and will be required to subsidize payment of the lease. It is recommended by the Streets Committee that the Borough does not renew the current lease, which expires on August 31, 2023.

After discussion in executive session as a "real estate matter," no further action was taken.

## **K. Administration Committee**

### **1. Police Chief Retirement**

The upcoming vacancy in the Police Chief position was advertised. Twelve applications were received, and interviews are to be scheduled. The Borough hopes to fulfill this position as soon as possible.

### **2. Date for 2024 Reorganization Meeting**

The date for the 2024 Council Reorganization meeting needs to be determined. Since January 1<sup>st</sup> falls on a Monday, the Reorganization meeting can occur from January 2<sup>nd</sup> up to and including January 8<sup>th</sup>.

Mr. Kuhar made a motion to schedule the 2024 reorganization meeting on Monday, January 8, 2024. (Miller) Motion passed unanimously.

### **3. Police Officer Recruitment**

The position for a full-time officer will be posted for receipt of applications but at this time, Council should establish various agencies for the hiring process.

1. Staff recommends that Penn Highlands Police Academy conducts the agility testing as outlined in the agreement.

Ms. Houser made a motion to approve the Agreement with Penn Highlands Police Academy. (Owatt) Motion passed unanimously.

2. Staff recommends that Assured Polygraph Services Inc. administers polygraph testing, if required.

Mr. Kuhar made a motion to approve the appointment of Assured Polygraph Services Inc., at a rate of \$300 per candidate, as the administrator of the polygraph testing. (Owatt) Motion passed unanimously.

3. Staff recommends that Police Consulting Services administers the test of candidates.

Ms. Houser made a motion to approve the agreement with Police Consulting Services for the administration of the test at a rate of approximately \$535 per candidate plus mileage reimbursement. (Owatt) Motion passed unanimously.

4. Staff recommends that Police Consulting Services conducts oral interviews of the candidates.

Mr. Kuhar made a motion to approve the agreement with Police Consulting Services for the oral interviews at a cost of \$1,300. (Owatt) Motion passed unanimously.

5. Staff recommends that Police Consulting Services provides background checks for designated candidates.

Ms. Houser made a motion to approve the agreement with Police Consulting Services for background investigations at a rate of \$75 per hour plus mileage. (Owatt) Motion passed unanimously.

6. Staff recommends that psychological testing be conducted by Dr. S. Hand at the rate of \$375 per applicant.

Ms. Houser made a motion to approve Dr. Hand to administer the psychological testing at a rate of \$375 per applicant. (Owatt) Motion passed unanimously.

7. Staff recommends that medical testing be conducted by a doctor to be named at rates to be determined. Council tabled medical testing until a doctor is named.

**L. Diversity Committee – None.**

**M. General Business**

**1. Public Works Truck**

It is necessary to purchase a new Public Works vehicle. The purchase is included in the 2023 capital budget.

Ms. Jacoby made a motion to approve the purchase of a Ford F-350 from Stuckey Ford from the state bid list in the amount of \$63,114. (Owatt) Motion passed unanimously.

**2. Ebensburg Municipal Airport**

RACRA requested the Borough engineer to look at one of the existing hangars, which is owned by the Borough, to determine the feasibility of rehabilitation of the hangar. After this review, the structural engineer determined the hangar could not be rehabilitated. Based upon the findings, RACRA requested a meeting with borough staff, which Solicitor Matt Gribler also attended.

During the meeting, RACRA stated they request a solution to this situation and suggested that the Borough raze or otherwise stabilize the building as soon as possible to ensure their ability to continue to supply fuel. RACRA also expressed desire to erect a new hangar. The cost of that hangar is yet to be determined as the prices range from \$250,000 to \$650,000. RACRA requested that the borough provides the necessary funds to construct the new hangar while they try to secure federal funds for the reimbursement. It is the understanding of Borough staff that this money is not guaranteed.

After discussion in executive session as a “real estate” matter, Council took no action, but agreed that further discussion with RACRA was necessary.

N. **Department Report**

1. **Police Department** – Chief Wyland wanted to thank council for their support for his career here at the Ebensburg Borough.
2. **Public Works Department** – Mr. Surkovich acknowledged Randy Lauer’s retirement from the Public Works Department after 26 years of service.
3. **Community Development** – Mayor Datsko wanted everyone to know about the Johnstown Symphony Orchestra performance in Penn Eben Park on the 4<sup>th</sup> of July and the free “Movie in the Park” on July 7<sup>th</sup>, featuring the “Super Mario Bros. Movie.”
4. **Recreation Department** – Mr. Johnson shared the recreation report with council.

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

P. **Public Comments** – Mr. Link, 725 N. Spruce, asked if the street sweeper has been repaired.

Q. **Executive Session** – Council entered into executive session at 7:05 PM to discuss personnel and real estate matters. They exited at 7:29 PM.

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

Meeting Adjourned 7:30 PM

Minutes Recorded by: Mayor Randy Datsko