



**Ebensburg Borough Council Meeting**  
**Monday, August 28, 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.*

**JUNIOR COUNCILOR**

A Junior Councilor position was first created by Borough Council in 2002 by Resolution #2002-02. Council recognized the importance of involving residents of all ages in the decision-making process, and that, while not yet able to vote for its elected representatives, youth nonetheless have an interest in the operation of borough government. The position was last occupied in 2021 and there have been no applicants since then. Abraham Remillard, who is homeschooled and entering his junior year of high school, and Isaac Bradley, who is a junior at Central Cambria High School and who recently worked for the Borough this past summer, would like to be named for this position.

The Junior Councilor must be a borough resident completing the junior year of high school. The term is August-July. The junior member is permitted to attend all meetings of Council (except executive sessions) and all committee meetings and is permitted to participate fully in those proceedings, except shall not be afforded the right to vote.

Mayor Datsko will administer the oath of office to Mr. Remillard and Mr. Bradley.

**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 6B: Approve report of Inframark for the Wastewater Treatment Plant Operations.

Item 6C: Approve report of Inframark for the Water Treatment Plant Operations.

Item 11F: Approve the minutes of the July 24, 2023 regular monthly meeting of Borough Council.

Item 11G: Approve the financial statement for July.

Item 11H: Approve payment of bills for August.

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: Agreement with Inframark**

Borough Staff negotiated a five-year contract with Inframark for the operation of the Borough’s Water and Wastewater facilities for January 1, 2024 until December 31, 2028 that will be considered for approval.

Recommended Action – Grant approval to a 5-year contract with Inframark effective January 1, 2024, in the Base amount of \$970,060 for the first year, for operation of the water and wastewater treatment facilities.

\* Item 6B: **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 6C: **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**

**Item 7A: Dog Park Project**

The construction of the dog park was completed. After completion, the Borough experienced a severe rain event and measures were put in place to prevent erosion of the walking paths. The grand opening has been set by the Rotary for September 9, 2023 at 9:00 am.

Recommended Action: No action required.

**8. STREET COMMITTEE**

**Ball, Houser & Owatt**

**Item 8A: 2023 Street Paving Project**

Bids were awarded to New Enterprise Corporation in the amount of \$175,572.30 on May 22, 2023. The tentative start date for the paving is August 24, 2023.

Recommended Action – No action is required.

**Item 8B: Sidewalk and Curbing Project 2023:**

Bids were awarded to Awarded in February to CH & D Construction in the amount of \$136,827.88. The tentative start date for this is September 12, 2023.

Recommended Action – No action is required.

**9. ADMINISTRATION COMMITTEE**

**Houser, Jacoby & Kuhar**

**Item 9A: Police Officer Recruitment**

The position for a full-time officer was posted for receipt of applications. The agility test, written test and oral interviews were scheduled for August 19<sup>th</sup> and August 24<sup>th</sup>. One applicant was ill for the testing, but after conferring with legal counsel, we can offer a second set of testing, if council chooses to do so. Council is expected to receive an eligibility list within a month.

During the 2023 budget process, the police budget was increased to prepare for the possibility of an additional police officer. It was also hoped that a COPS grant would become available and the Borough could apply for such funding. To date, this has not occurred. Grant funding opportunities are expected to be available in the fall or spring. Council needs to determine whether to hire from the eligibility list when it is made available or wait to determine additional funding sources.

Recommended Action – Dependent upon discussion

**Item 9B: Employee Pension Plans**

There are several routine actions required every year relative to the employee pension plans. The Minimum Municipal Obligation (MMO) is the amount calculated each year that is required to be deposited into each pension plan. Regulations require Council to formally approve that number by September 30<sup>th</sup>. The state aid unit value for 2024 has not yet been

announced, but it is not necessary to adopt the actuarially determined MMO. The state aid listed below is approximated. Council must also establish the contribution rate, if any, for employees and determine how the State pension aid is to be distributed to the two pension plans.

- Action #1 - Adopt the minimum municipal obligation (MMO) calculation for the non-uniformed pension plan in the amount of \$98,536.
- Action #2 - Adopt the minimum municipal obligation (MMO) calculation for the uniformed pension plan in the amount of \$5,756.
- Action #3 - Adopt the minimum municipal obligation (MMO) calculation for the defined contribution plan in the amount of \$8,168.
- Action #4 - Adopt Resolution #2023-04 establishing an employee contribution rate of 3% (unchanged) for the non-uniformed pension plan for 2023.
- Action #5 - Adopt Resolution #2023-05 establishing an employee contribution rate of 3% (unchanged) for the uniformed pension plan for 2023.
- Action #6 - Adopt Resolution #2023-06 authorizing distribution of the State aid check to the respective employee pension plans.

## 10. DIVERSITY COMMITTEE

Kuhar & Houser

## 11. GENERAL BUSINESS

### Item 11A: Ebensburg Municipal Airport

RACRA requested the Borough engineer to look at the existing hangar, 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.

After July's meeting, Council sought a second opinion from a structural engineer. This engineer recently met with staff and believes it is possible to repair the existing hangar. It is anticipated that a report and the cost for the preparation of specifications for repairs will be received by the end of the month. Staff may have an update in time for the meeting.

Recommended Action- Pursuant upon discussion in executive session.

### Item 11B: 2023 Municipal Leadership Summit

The annual Municipal Leadership Summit will be held in Bethlehem, PA October 5-8<sup>th</sup>. Municipalities are entitled to appoint a Voting Delegate and Alternate to serve at two meetings during the summit.

Recommended Action- Appoint Doug Tusing as the Voting Delegate and Kelly Cook as the Alternate on the Resolutions Committee Meeting and Annual Business Meeting during the Summit.

### Item 11C: Comcast Franchise Extension

Our cable television franchise agreement expires in September 2023. The franchise agreements are always for ten years. The Cable Act outlines the time frames to be followed for negotiation of contracts, and Comcast submitted a proposal as required by the Act. There

is not a great deal that is negotiable in today's franchise agreements. We already receive the maximum percentage of gross revenues allowed under the Act (5% = approximately \$62,000 annually).

Recommended Action – Renew the Cable System Franchise Agreement with Comcast for cable service within the Borough.

**Item 11D: Resolution #2023-07: Traffic Signal Maintenance Agreement with the Commonwealth of Pennsylvania**

Staff is exploring the Rectangular Rapid Flashing Beacons for the pedestrian walks within the borough, most notably the pedestrian cross walk across High Street on the eastern side of Julian Street. Prior to submitting an application to PennDOT, an Agreement, updated after December 28, 2020, must be in place with PennDOT.

Recommended Action – Approve Resolution #2023-07 which submits an updated Traffic Signal Maintenance Agreement with the Commonwealth of PA.

**Item 11E: Resolution #2023-08: Façade Grant**

Historically, the Borough has enjoyed tremendous success with the Façade Grant Program. The previous grant received in the 2022 Fiscal Year in the amount of \$50,000 and was fully utilized. The Borough was unsuccessful in obtaining a grant in 2023. Staff recommends that the Borough applies for a new grant in the same amount.

Recommended Action – Approve Resolution #2023-08 authorizing the filing of an application for funds with the Pennsylvania Department of Community and Economic Development Façade Grant in the amount of \$50,000.

\* Item 11F: Minutes of Previous Meeting(s)

The minutes of the July 24, 2023 regular meeting are presented for Council review and approval.

Recommended Action – Approve the minutes of the previous meetings.

\* Item 11G: Financial Statement

The financial statement for July 2023 is presented for approval.

Recommended Action – Approve the July 2023 financial statement.

\* Item 11H: Bills

A list of bills totaling \$625,025.92 for August 2023 is submitted for approval.

Recommended Action – Approve payment of the bills as submitted.

**12. DEPARTMENT REPORTS**

**Item 12A: Police Department**

Chief Loughran 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 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](http://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](mailto:eburg@ebensburgpa.com). Notification 48-hours before the meeting will enable the Borough to make reasonable arrangements to ensure accessibility to this meeting.*