

The regular monthly meeting of the Ebensburg Borough Council was called to order on Monday, August 28, 2023, at 6:30 p.m. in the Council Room of the Ebensburg Municipal Building by Vice President, Cecilla Houser.

Present: Cecilia Houser, Vice President
Jeff Ball
Theresa Jacoby
Mike Owatt
Abraham Remillard, Junior Councilor

Others: Kelly Cook, Borough Manager
Randy Datsko, Mayor
Joseph Loughran, Chief of Police
Danea Koss, Community Development Director
Dirk Johnson, Recreation Director
Matt Gribler, Solicitor
Luke Byrne, Inframark
Gerry Schupe, Inframark
Breanne Berkebile, The Mountaineer Journal
Katie Smolen, The Tribune Democrat

Absent: Doug Tusing, President
Bob Miller

Audience: 5

A. The Pledge of Allegiance was recited.

B. **Public Comments** – None.

C. **Junior Councilor** – Mr. Abraham Remillard, a high school junior who is homeschooled, was administered the oath of office and sworn in as Ebensburg Borough’s Junior Councilor.

D. **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 Inframark for the Water Treatment Plant Operations.
3. Approve the minutes of the July 24, 2023, regular monthly meeting.
4. Approve the financial statement for July.
5. Approve payment of bills for August.

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

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

G. **Mayor’s Report** – Mayor Datsko reported that Central Cambria 2022 graduate, Jocelyn Holley, had recently won a horse national horse competition. He also welcomed new Chief of Police, Joe

Loughran. Lastly, he added that the new e-bikes, and all bikes, must follow and obey the vehicle code law.

H. Council President Comments – None.

I. Water/Wastewater Committee

1. Agreement With Inframark

Mr. Kuhar shared that 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.

Mr. Kuhar made a motion to grant approval to a 5-year contract with Inframark effective January 1, 2024, in the base amount of of \$970,060 for the first year, for operation of the water and wastewater treatment facilities. (Ball) Motion passed unanimously.

2. Report from Inframark on Wastewater Treatment Plant Operations

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

3. Report from Inframark on Water Treatment Plant Operations

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

J. Recreation Committee

1. Dog Park Project

Ms. Jacoby reported that 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 9th at 9 am.

K. Street Committee

1. 2023 Street Paving Project

Mr. Owatt reported that bids were awarded to New Enterprise Corporation in the amount of \$175,572.30 on May 22, 2023 and that the tentative start date for the paving is August 24, 2023.

2. Sidewalk and Curbing Project

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

L. Administration Committee

1. Police Officer Recruitment

Ms. Jacoby reported that the position for a full-time officer was posted for receipt of applications. The agility test, written test and oral interviews are scheduled for August 19th and August 24th. One of the applicants 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.

It was the consensus of Council to proceed with hiring and to have a new officer in place in early to mid-October.

Mr. Kuhar made a motion to authorize staff to extend testing for anyone who was not able to attend and to proceed with hiring (Ball) Motion passed unanimously. (Owatt) Motion passed unanimously.

2. Employee Pension Plans

Ms. Jacoby reported that 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 30th. 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.

Ms. Jacoby made the following motions. (Ball) Motions passed unanimously.

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

M. Diversity Committee – None.

N. General Business

1. Ebensburg Municipal Airport

Ms. Cook reported that 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. This will be discussed further in executive session.

2. 2023 Municipal Leadership Summit

Ms. Cook reported that the annual Municipal Leadership Summit will be held in Bethlehem, PA October 5-8th. Municipalities are entitled to appoint a Voting Delegate and Alternate to serve at two meetings during the summit.

Ms. Jacoby made a motion to 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. (Ball) Motion passed unanimously.

3. Comcast Franchise Extension

Ms. Cook reported that 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).

Mr. Kuhar made a motion to renew the Cable System Franchise Agreement with Comcast for cable service within the Borough. (Ball) Motion passed unanimously.

4. Resolution #2023-07: Traffic Signal Maintenance Agreement with the Commonwealth of Pennsylvania

Ms. Cook reported that 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.

Ms. Jacoby made a motion to approve Resolution #2023-07 which submits an updated Traffic Signal Maintenance Agreement with the Commonwealth of PA. (Owatt) Motion passed unanimously.

5. Resolution #2023-08: Façade Grant

Ms. Cook reported that, 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.

Mr. Kuhar made a motion to 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. (Jacoby) Motion passed unanimously.

O. **Department Report**

1. **Police Department** – Chief Loughran thanked Council for the opportunity to serve as Chief. He added that it is an honor and privilege to serve Ebensburg Borough.
2. **Public Works Department** – Public Works Director Josh Surkovich has submitted a written report on the public works department's activities during the month.
3. **Community Development** – Ms. Danae Koss reported on recent events the conclusion of most of the summer events and preparations for PotatoFest. She added that Voyda family is purchasing a bench for the downtown in memory of Charles Voyda, former public works director for the borough.
4. **Recreation Department** – Mr. Dirk Johnson reported on recent activities including that it would be the last weekend for the Borough Swimming Pool and that they would be hosting Bingo on the 8th of September.

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

Q. **Public Comments**

- Mr. Illig, S. Center Street, asked if we are headed to Virginia Street next.
- Mr. Tom Bortel, E. Sample Street, made a comment that Council shouldn't just hire anyone as our next police officer.
- Ms. June Fether, Alton Street, added that Council may want to consider adding a bocci court to our recreational assets.

R. **Executive Session** – Council entered into executive session at 7:07 PM to discuss personnel matters and exited at 7:35 PM.

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

Meeting Adjourned 7:35 PM

Minutes Recorded by: Danae Koss, Community Development Director