



Ebensburg Borough Council Meeting
Monday, November 20, 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 6A: Approve report of Inframark for the Wastewater Treatment Plant Operations.
- Item 6B: Approve report of Inframark for the Water Treatment Plant Operations.
- Item 11F: Approve the minutes of the October 23, 2023 regular monthly meeting of Borough Council.
- Item 11G: Approve the financial statement for October.
- Item 11H: Approve payment of bills for November.

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: 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 6B: 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.

Item 6C: Operating Agreement between the Borough and Municipal Authority- An agreement exists between the two parties that sets a compensation for the Authority to pay the Borough for administrative support. The agreement allows for the adjustment of the compensation through a resolution by both parties. The current charge is \$201,000/ year and Staff recommends an increase of 10% to \$221,100 annually. The rate has not changed since 2017 but due to increased costs and expenditures, an adjustment is necessary and appropriate.

It is anticipated that the Municipal Authority will approve the Joint Resolution at their meeting earlier this afternoon.

Recommended Action – Approve Joint Resolution #2023-1 governing the administrative support to the Authority and increasing the rate to \$221,100 annually.

Item 6D: Ordinance #667: An Ordinance that adopts the Guaranty Agreement for the PENNVEST water project loan.

PENNVEST has approved a grant of \$2,983,725 and a loan of \$4,922,366 for the Phase I Waterline Replacement. The loan is for 20 years, with 1% rate. It will be necessary for the Borough to guarantee the PENNVEST loan. In accordance with the Unit Debt Act, Council will need to adopt a Guaranty Agreement by Ordinance. The Solicitor has drafted the enabling Ordinance, the required guaranty agreement, promissory note, debt statement, and borrowing base certificate for tentative adoption. The Borough and Authority solicitors will review those documents for compliance. The Solicitor will compile a Self-Liquidating Debt Report to be certified by the Authority's Engineer. Those documents will be included in the final Ordinance.

Recommended Action-Grant tentative approval to Ordinance #667 authorizing a PENNVEST loan guaranty in the amount of \$4,922,366 on behalf of the Ebensburg Municipal Authority the water system improvement project.

Item 6E: Ordinance #668: An Ordinance that adopts the Guaranty Agreement for the second PENNVEST water project loan.

PENNVEST has approved a grant of \$492,706 and a loan of \$136,664 for Lead Service Line Replacement. The loan is for 30 years, with 1% rate. It will be necessary for the Borough to guarantee the PENNVEST loan. In accordance with the Unit Debt Act, Council will need to adopt a Guaranty Agreement by Ordinance. The Solicitor has drafted the enabling Ordinance, the required guaranty agreement, promissory note, debt statement, and borrowing base certificate for tentative adoption. The Borough and Authority solicitors will review those documents for compliance. The Solicitor will compile a Self-Liquidating Debt Report to be certified by the Authority's Engineer. Those documents will be included in the final Ordinance.

Recommended Action-Grant tentative approval to Ordinance #668 authorizing a PENNVEST loan guaranty in the amount of \$136,664 on behalf of the Ebensburg Municipal Authority the water system improvement project.

7. RECREATION COMMITTEE

Jacoby, Miller & Owatt

Item 7A: Resolution #2023-13: A Resolution authorizing the submission of a grant through the Statewide Local Share Account Grant.

Last month Council approved a resolution for equipment at Memorial Field, but after careful review, it was decided to apply for a more general grant to be used to revitalize multiple playgrounds and parks within the Borough.

Recommended Action – Rescind Resolution #2023-11 and approve Resolution #2023-13 authorizing the application of a \$120,000 grant through the Statewide Local Share Account Grant for upgrading of various parks and playgrounds within the Borough, and further authorizing Borough officers to execute any and all documents required to secure the grant.

8. STREET COMMITTEE

Ball, Houser & Owatt

Item 8A: Sidewalk and Curbing Project 2023:

Bids were awarded in February to CH & D Construction in the amount of \$136,827.88. The contractor began the work on October 31st and completion is expected this week, before the December 1, 2023 deadline.

Recommended Action – No action is required.

Item 8B: Parking of Commercial Vehicles on Borough Streets

Recently we have had a large commercial vehicle parked on the borough streets for weekends in a residential neighborhood. The police have spoken to the individual and he is currently cooperating, but staff recommends that Council considers an ordinance prohibiting the parking of the commercial vehicles in a residential neighborhood. First and foremost, the width of the roads, especially when parking is on both sides of the street, limits and/or prevents emergency vehicles from being able to safely pass. Secondly, buses, and delivery vehicles are also deterred.

Recommended Action – Approve Staff to develop an ordinance for review.

Item 8C: Potential Garbage Ordinance

The existing garbage ordinance forbids the use of containers larger than 36 gallons. This needs to be removed but there has been recent discussion requiring all trash receptacles to have a lid and utilizing it to assure that the garbage does not blow out. It was also discussed the length of time prior to the garbage pickup that the refuse can be taken to the curb. Staff is looking for guidance as to whether these issue should be placed on a revised ordinance.

Recommended Action – Approve Staff to develop an ordinance for review.

9. ADMINISTRATION COMMITTEE

Houser, Jacoby & Kuhar

Item 9A: 2024 Annual Budget

The administrative committee has compiled a tentative 2023 budget for Council's review.

The 2024 Operating Budget calls for revenues of \$7,266,390 and expenditures of \$7,266,390. The general fund budget is balanced without an increase in taxes.

	Revenues	Expenditures	Surplus
General Fund Budget	\$2,573,760.00	\$2,573,760.00	\$0.00
Water Fund Budget	\$2,456,600.00	\$2,456,600.00	\$0.00
Wastewater Fund Budget	\$2,005,530.00	\$2,005,530.00	\$0.00
Stormwater Fund Budget	\$230,500.00	\$230,500.00	\$0.00
Total Operating Fund	\$7,266,390.00	\$7,266,390.00	\$0.00

The General Fund Budget reflects an increase of 10.9% over last year. This increase is primarily due to overall inflation in supplies and services. In particular, the budget reflects a new five-year garbage and recycling contract and the hiring of an additional full-time police officer.

The Wastewater Fund Budget has a minimal increase, despite a new five-year contract with Inframark for operations of the systems. However, the Water fund Budget is increasing by 14.9%. This increase is due to the increased revenue needed for a project that is mostly paid for through a grant, but a long-term low interest loan will pay for the rest. The additional revenue will cover the cost of the future debt service.

The budget was advertised and made available for public inspection.

Recommended Action – Grant final approval to the 2024 annual budget.

Item 9B: Employee Pension Plans

In August the Borough approved the minimum municipal obligation (MMO) calculations for the pension plans. However, revised MMOs were received which uses funding components from the recently completed January 1, **2023** Actuarial Valuation Report. The contribution requirement under the revised MMO would be greater than the amount determined by the initial 2024 MMO, which was based on the January 1, **2021** Actuarial Valuation Report. Although you are not required to amend the MMO originally adopted and submitted to the governing body by September 29, it is recommended by the actuaries that you adopt this revised MMO since it reflects a contribution level that is more consistent with the plan's current funding condition.

Action #1 - Adopt the minimum municipal obligation (MMO) calculation for the non-uniformed pension plan in the amount of \$97,070.

Action #2 - Adopt the minimum municipal obligation (MMO) calculation for the uniformed pension plan in the amount of \$25,083.

10. DIVERSITY COMMITTEE

Kuhar & Houser

11. GENERAL BUSINESS

Item 11A: Ebensburg Municipal Airport

Council recently discussed the second opinion from a structural engineer, who believes the hangar at the airport can be rehabilitated. The engineer is developing plans for measures to secure the structure in preparation for potential long-term repairs in 2024. Prior to these repairs, the building will not be utilized. Due to the fact that the hangar cannot be utilized and RACRA is experiencing a loss of income in the interim, they have requested that the Borough pays the cost of insurance to the facility and a vehicle, as well as the annual registration for the fuel tanks for a total of \$3,609.

Recommended Action- Dependent upon discussion.

Item 11B: Last month the Borough reviewed a revised lease with Cambria County for the former Babcock Property. Council proposed other amendments to the lease and the County responded by withdrawing their initial request .

Recommended Action – No action required.

Item 11C: Resolution #2023-14
A resolution fixing the tax rate for the year 2024 at 36.75 mills on each dollar of assessed valuation for land, 11.75 mills on each dollar of assessed valuation for buildings and 2.5 mills on each dollar of assessed valuation for stormwater management.

Recommended Action – Approve Resolution #2023-14 for taxes.

Item 11D: Letter of support for grant application for Allegheny Spay and Neuter Clinic. Bradford Township is applying for a grant for the clinic, and we have been asked by Yard Kitty to send a letter of support. The Allegheny Spay and Neuter Clinic is the only such place in this area to offer services at a reduced rate to control the pet population.

Recommended Action – Approve Resolution #2023-14 for taxes.

Item 11E: Consider the resignation of James Melnyk who was part-time with the Police Department

Recommended Action – Accept the resignation of James Melnyk, effective immediately.

* Item 11F: Minutes of Previous Meeting(s)
The minutes of the October 23, 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 October 2023 is presented for approval.

Recommended Action – Approve the October 2023 financial statement.

* Item 11FH: Bills
A list of bills totaling \$850,544.57 for November 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 Danea 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 Hearing 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 real estate 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.